



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.08.2019

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

AND

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

H.C.P (MD)No.454 of 2019

WEB COPY

Marikannu

... Petitioner

Vs.

1.The Superintendent of Police,
Pudukkottai District,
Pudukkottai.

2.The Inspector of Police,
Keeranur Police Station,
Pudukkottai District.

3.Ajith

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, directing the second respondent to produce the person or body of the detenu namely Pandimeena, daughter of Palanisamy, aged about 16 years, before this Court and handover the detenu to the petitioner.

For Petitioner : Mr.A.Mohan

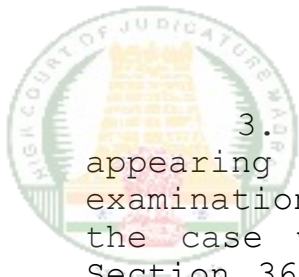
For Respondents : Mr.K.Dinesh Babu
Additional Public Prosecutor
for R.1 and R.2

ORDER

(Order of the Court was made by M.SATHYANARAYANAN,J)

The petitioner is the mother of the minor detenu, viz., Pandimeena, aged about 16 years (date of birth is 21.08.2003) and alleging that she is under illegal custody and detention at the hands of the third respondent, came forward to file this Habeas Corpus Petition.

2. A mention was made to take this matter, as the detenu has been secured. The detenu is produced before this Court and this Court has also interacted with her and she would state that on her own volition, she went with the third respondent and both of them settled at Coimbatore and she did not marry the third respondent. The detenu also expressed her willingness to go with her mother, who is also present before this Court.



3. Mr.K.Dinesh Babu, learned Additional Public Prosecutor, appearing for the second respondent would submit that the medical examination of the detenu has also been completed and originally, the case was registered for girl missing and it was altered to Section 366(A) I.P.C., and again altered to Section 363 I.P.C. and Section 5(1) and Section 6 of the the Protection of Children from Sexual Offences Act, 2012 and the efforts have been taken to secure the third respondent.

4. This Court heard the rival submissions and perused the materials placed before this Court.

5. In the light of the said development and also taking into consideration the submission made by the detenu before this Court that she is willing to go with her mother, no further orders are necessary in this Habeas Corpus Petition. The custody of the detenu is entrusted to the petitioner/mother. This Habeas Corpus Petition is disposed of accordingly.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

To

- 1.The Superintendent of Police,
Pudukkottai District,
Pudukkottai.
- 2.The Inspector of Police,
Keeranur Police Station,
Pudukkottai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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