



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.07.2019

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

AND

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

H.C.P(MD)No.520 of 2019

Murugesh

... Petitioner

Vs.

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

2.The Deputy Superintendent of Police,
Karur, Karur District.

3.The Inspector of Police,
Vengamedu Police Station,
Karur District.

4.Karthick

5.Kanagaraj

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, directing the respondents 1 to 3 herein to produce the body or person of the detenu namely Minor.Jeevitha, D/o Murugesh, aged about 16 years, before this Court and hand over the custody to the petitioner.

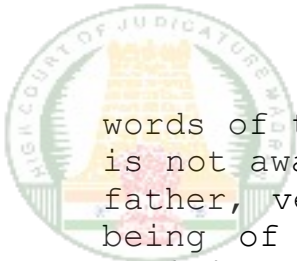
For Petitioner	:	Mr.M.Jothi Basu
For Respondents	:	Mr.K.Dinesh Babu
		Additional Public Prosecutor
		for R.1 to R.3

ORDER

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

The petitioner is the father of the minor detenu viz., Jeevitha, aged about 16 years (date of birth is 31.01.2003) and alleging her illegal custody and detention at the hands of the fourth respondent, came forward to file this Habeas Corpus Petition. The second respondent, on the basis of the complaint given by the petitioner, has also registered a case in Cr.No.122 of 2019 for "girl missing".

2. The learned Counsel appearing for the petitioner would submit that the detenu is studying +1 and enticed by the sweet



words of the fourth respondent, she had gone with him and since she is not aware of the consequences and that the petitioner, being the father, very much concerned about the safety, whereabouts and well being of his daughter, came forward to file this Habeas Corpus Petition.

WEB COPY

3. The detenu is also produced before this Court and she would state that she has been taken by the fourth respondent and having realised the mistake, she wants to go with her parents, who are also present before this Court. The detenu would further state that she wants to pursue her academic career and the parents also undertake to do needful in this regard.

4. The learned Additional Public Prosecutor appearing for the State would submit that the detenu along with the fourth accused were secured and thereafter, sections were altered to 366 (A) I.P.C., and Sections 3 and 4 of the the Protection of Children from Sexual Offences Act, 2012 and the fourth respondent is also taken into custody and the investigation is proceeding on right line.

5. In the light of the fact that the minor detenu has been secured and she is also willing to go with her parents, who are present before this Court, this Court sets her at liberty and her custody is handed over to her parents, who are present before this Court.

6. The second respondent is directed to conduct the investigation of the case in Cr.No.122 of 2019 in a fair and proper manner and expedite the investigation and file the final report before the competent Court of jurisdiction.

7. The Habeas Corpus Petition is disposed of accordingly.

Sd/-

Assistant Registrar(P & A)

// True Copy //

Sub Assistant Registrar(CS)

ssl

To

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

2.The Deputy Superintendent of Police,
Karur, Karur District.



3.The Inspector of Police,
Vengamedu Police Station,
Karur District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1CC TO MR.G.M.LAW OFFICE, Advocate Sr. No. 75893

H.C.P(MD)No.520 of 2019
17.07.2019

KM(CO)
TR (29.07.2019) 3P 6C