



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.07.2019

CORAM

THE HONOURABLE MR. JUSTICE M. SATHYANARAYANAN

AND

THE HONOURABLE MR. JUSTICE B. PUGALENDHI

H.C.P (MD) No. 686 of 2019

C.Nallu

... Petitioner

Vs.

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

2. The Sub-Inspector of Police,
Austinpatti Police Station,
Madurai District.

3. K. Sudakar

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, directing the respondents 1 and 2 to produce the petitioner's minor daughter, namely Pradeepa, aged about 17 years, either in person or body before this Court and thereupon handover the custody to the petitioner.

For Petitioner : Mr. J. Jeyakumaran

For Respondents : Mr. K. Dinesh Babu

Additional Public Prosecutor
for R.1 and R.2

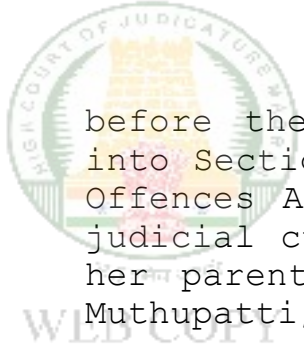
ORDER

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

The petitioner is the father of the minor detenu, viz., Pradeepa, aged about 17 years (date of birth is 12.11.2001) and alleging her illegal custody and detention at the hands of the third respondent, came forward to file this Habeas Corpus Petition.

2. The learned Counsel appearing for the petitioner would submit that after filing of this Habeas Corpus Petition, the detenu has been traced and was produced before the Mahila Court, Madurai, to pass orders to keep her in a home.

3. Mr. K. Dinesh Babu, learned Additional Public Prosecutor, accepts notice on behalf of the second respondent and on instructions, would submit that the detenu is a minor and she eloped with the third respondent and she was secured and produced



before the Mahila Court and the provisions of law were altered into Sections 5(1) and 6 of the Protection of Children from Sexual Offences Act, 2012 and the third respondent has been remanded to judicial custody and since the detenu was not inclined to go with her parents, she has been admitted in Child Welfare Committee, Muthupatti, Madurai District.

4. In the light of the above said development, the petitioner, being the father of the detenu, is at liberty to work out his remedy before the said Court, for securing the custody of his daughter. The second respondent shall continue with the investigation of the case in Cr.No.178 of 2019 and conduct fair and proper investigation and file final report before the jurisdictional Magistrate Court, as expeditiously as possible.

5. The Habeas Corpus Petition is disposed of, accordingly.

Sd/-

Assistant Registrar (A.E)

// True Copy //

Sub Assistant Registrar(CS)

To

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

2.The Sub-Inspector of Police,
Austinpatti Police Station,
Madurai District.

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

+1 CC to Mr.J.JEYAKUMARAN, Advocate SR-78020.

H.C.P(MD)No.686 of 2019
25.07.2019

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