



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 16.08.2019
CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN
and
THE HONOURABLE MR.JUSTICE B.PUGALENDHI

H.C.P(MD)No.711 of 2019

A.Nallaiah ... Petitioner
Vs.

- 1.The Commissioner of Police,
Tirunelveli City,
Tirunelveli.
- 2.The Inspector of Police,
Thatchanallur Police Station,
Tirunelveli District.

3.Anantharaj ... Respondents

Prayer: Habeas Corpus Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Habeas Corpus, directing the respondents to produce the detainee namely Kanagalakshmi, Daughter of A.Nallaiah, aged about 17 years, before this Court and hand over custody to the petitioner.

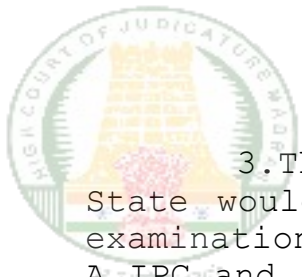
For Petitioner : Mr.A.Jayaramachandran
For Respondents 1&2 : Mr.K.Dinesh Babu,
Additional Public Prosecutor

O R D E R

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

The petitioner is the father of the minor detainee, namely, Kangalakshmi, aged about 17 years [Date of Birth 05.08.2001 & now attained majority], alleging illegal custody at the hands of the third respondent, has lodged a complaint on the file of the second respondent, based on which, a case in Crime No.122 of 2019 was registered as "Girl Missing" and the petitioner concerning about safety, well being and whereabouts of his daughter, has come forward to file this habeas corpus petition and this petition was entertained.

2.The detainee was produced before this Court and on <https://hcservicesreports.dco.in/hcservices/> she would state that she went with the third respondent, who is a married man and now she is willing to go with her father, who is also present before this Court.



3. The learned Additional Government Pleader appearing for the State would submit that the detainee has been subjected to medical examination and thereafter, the Sections have been altered into 366 A IPC and 5(I) r/w 6 of POCSO Act and the third respondent has also been secured and remanded to judicial custody and the investigation is proceeding on the right line.

4. Heard the submission of the learned Counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the State.

5. In the light of the fact that the detainee has been secured and though she has expressed her inclination to go with her father, who is also present before this Court, considering the fact that the detainee has attained majority, she is set at liberty to take a decision as to her own future and well being.

Sd/-

Assistant Registrar (crl.side)

// True Copy //

Sub Assistant Registrar (CS)

To

1. The Commissioner of Police,
Tirunelveli City,
Tirunelveli.
2. The Inspector of Police,
Thatchanallur Police Station,
Tirunelveli District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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dsk

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