



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.08.2019

CORAM

**THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN**

**AND**

**THE HONOURABLE MR.JUSTICE B.PUGALENDHI**

**H.C.P(MD)No.747 of 2019**

P.John Kumar @ Kumar

... Petitioner

Vs.

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

2. The State represented by  
The Inspector of Police,  
Valliyoor Police Station,  
Valliyoor,  
Tirunelveli District.

3. S.Inba Sathya

4. S.Pravin

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Habeas Corpus to direct the respondents 1 and 2 to secure the petitioner's daughter, namely, Baby Kala, daughter of John Kumar @ Kumar, aged about 17 years, residing at Santhana Mariamman Kovil Street, South Kallikulam, Radhapuram Taluk, Tirunelveli District, who has been detained illegally by the respondents 3 and 4 and subsequently, produce her before this Court and hand over the petitioner's daughter to the petitioner forthwith.

For Petitioner

: Mr.J.Sankara Pandian

for Mr.S.Palani Velayutham

For Respondents No.1&2

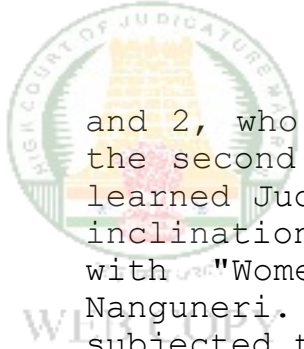
: Mr.S.Chandrasekar

Additional Public Prosecutor

### **ORDER**

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

The petitioner is the father of the minor detenu, namely, Baby Kala, whose date of birth is 31.08.2001 and alleging her illegal custody and detention at the hands of the third respondent, lodged the complaint before the second respondent, who based on the same, registered a case in Cr.No.238 of 2019 on 26.07.2019 for 'Woman Missing'. The petitioner being the father of the minor detenu, is very much concerned about the safety, well-being and whereabouts of his daughter and came forward to file this petition.



and 2, who would submit that the detenu voluntarily appeared before the second respondent on 03.08.2019 and she was produced before the learned Judicial Magistrate, Valliyoor and she has not expressed her inclination to go with her parents and so, her custody was given with "Women and Child Development Society", Kodumbandhuvalavu, Nanguneri. He would further submit that the girl is yet to be subjected to medical examination.

3. In the light of the above facts and circumstances of the case, the second respondent is directed to take immediate steps to conduct medical examination of the detenu and shall also conduct the investigation in a proper and qualitative manner and periodically inform the progress of the investigation to the petitioner. The aforesaid Home shall also explore the possibility of giving psychiatric counselling to the detenu. The Deputy Superintendent of Police, Valliyoor, shall also monitor the investigation in Cr.No.238 of 2019 on the file of the second respondent and give necessary inputs to the second respondent.

4. Accordingly, this Habeas Corpus Petition is disposed of.

Sd/-

Assistant Registrar (crl. side)

// True Copy //

Sub Assistant Registrar(CS )

To

1. The Superintendent of Police,  
Tirunelveli,  
Tirunelveli District.
2. The Inspector of Police,  
Valliyoor Police Station,  
Valliyoor,  
Tirunelveli District.
3. The Deputy Superintendent of Police,  
Valliyoor,  
Tirunelveli District.
4. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

+1 CC to Mr.S.PALANI VELAYUTHAM, Advocate ( SR-81087[F] dated 09/08/2019 )

**H.C.P(MD) No.747 of 2019**

**08.08.2019**