



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.10.2019

CORAM:

THE HONOURABLE MR. JUSTICE S. VAIDYANATHAN

AND

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

H.C.P. (MD) No. 1058 of 2019

Alagesan

: Petitioner/
Brother of the detainee

Vs.

1. The Superintendent of Police,
Virudhunagar District
Virudhunagar.

2. The Inspector of Police
Kariyapatti Police Station,
Kariyapatti
Virudhunagar District.

3. Ranjithkumar

: Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India praying for the issue of a Writ of Habeas Corpus, to direct the respondents 1 & 2 to produce the body or person of detainee by name Kalaivani D/o. Alagar, aged about 16 years, who has been illegally detained by the 3rd respondent herein and produce her before this Court and hand over her custody to the petitioner.

For Petitioner : Mr. A. Thiruvadikumar
For Respondents : Mr. K. Dinesh Babu for R1 & R2
Additional Public Prosecutor

ORDER

S. VAIDYANATHAN, J.

AND

N. ANAND VENKATESH, J.

This petition has been filed to produce the detainee, namely, Kalaivani, aged 16 years before this Court.

2. The detainee Kalavani was produced before this Court. This Court examined her. She stated that her date of birth is 21.08.2003 and that the petitioner is her stepbrother. She was working in a



Mill at Coimbatore and she was staying there. She stated that she attended the marriage of the third respondent's sister without informing the petitioner. Since the detainee was not found at Coimbatore, the petitioner was forced to give a complaint, which was registered by the respondent police in Crime No.356/2019 for an offence under Section 366(A) IPC. She stated that she has no relationship with the third respondent and that she is willing to go along with her stepbrother, namely, the petitioner.

3. The learned Additional Public Prosecutor submitted that the 164 Cr.P.C. statement of the detainee has already been recorded by the Judicial Magistrate, No.I, Virudhunagar. The medical examination has already been completed before the Government Hospital, Aruppukottai.

4. Taking into consideration the facts and circumstances of the case and also the subsequent development, no further orders are necessary to be passed in this Habeas Corpus Petition.

5. Recording the statement made by the parties and also the submission made on either side, this Habeas Corpus petition is closed.

Sd/-

Assistant Registrar(CO)

// True Copy //

Sub Assistant Registrar(CS)

RR

To

1.The Superintendent of Police,
Virudhunagar District
Virudhunagar.

2.The Inspector of Police
Kariyapatti Police Station,
Kariyapatti
Virudhunagar District.

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

Order made in
H.C.P. (MD) No.1058 of 2019
Dated: 21.10.2019

TR(19.11.2019) 2P 4C