



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **31.10.2019**

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

CrI.O.P. (MD) No.15631 of 2019

Vannamuthu

...Petitioner

Vs.

State Rep. by
The Inspector of Police,
Kadayanallur Police Station,
Kadayanallur,
Tirunelveli District.

...Respondent

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to issue a direction to the respondent herein to produce the body or person of the detainee, Kayathri D/o.Vannamuthu, aged about 19 years, who has been missing from 14.09.2019, before this Court and set her at liberty.

For Petitioner : Mr.G.Dinesh

For Respondent : Mr.K.Suyambulinga Bharathi
Government Advocate (CrI.side)

O R D E R

This petition has been filed seeking a direction to the respondent to produce the body or person of the detainee, Kayathri D/o.Vannamuthu, aged about 19 years, who has been missing from 14.09.2019, before this Court and set her at liberty.

2.The learned Government Advocate (CrI.side) would submit that on the complaint lodged by the petitioner, the respondent police has registered the case in Crime No.360 of 2019 under Woman Missing. Thereafter, the respondent police also secured the detainee namely Kayathri, D/o.Vannamuthu and produced before the learned Judicial Magistrate, Tenkasi. In pursuant to the case registered in Cr.No.360 of 2019 before the learned Judicial Magistrate, the victim Kayathri, aged about 19 years filed an affidavit stating as follows:



'' 1. I submit that I am the daughter of de facto complainant Mr.Vannamuthu and as such I am well acquainted with the facts of the case.

2. I submit that my date of birth is 14.07.2000 and the same was entered in my Aadhaar Card No.8445 8255 6321 issued by the Government of India (copy of Aadhaar Card enclosed). I submit that as on today I have completed my 19 years and as per the Union of India I am declared as major.

3. I submit that I left my home on 13.09.2019 and my own willing and wish, there is no undue influence or coercion by any person. I submit that I am stay along with my distance relative home.

4. I submit that I came to know about the complaint before the police through my mother that my father has lodged complaint before the respondent police. I submit that therefore I am appearing before this Hon'ble Court and swearing this self affidavit.

5.It is therefore just and necessary that this Hon'ble Court may be pleased to record this affidavit and set me at liberty and thus render justice.''

3.Since the victim is aged about 19 years, she was released by the respondent and she does not want to go with her parents. Thereafter, the FIR has been closed as ''mistake of fact'' in Crime No.360 of 2019 and referred charge sheet is also duly served to the petitioner herein.

4. Recording the said submission, this Criminal Original Petition is closed. However, the petitioner is at liberty to file a protest petition before the concerned Magistrate Court on receipt of the referred charge sheet.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

vsd



To

1.The Inspector of Police,
Kadayanallur Police Station,
Kadayanallur,
Tirunelveli District.

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

+1 CC to M/s.G.DINESH, Advocate (SR-95170[F] dated 31/10/2019)

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JMN(20.11.2019) 3P : 4C