



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.11.2019

CORAM

**THE HON'BLE MR.JUSTICE S.VAIDYANATHAN**

**AND**

**THE HON'BLE MR.JUSTICE N.ANAND VENKATESH**

**H.C.P(MD)No.1194 of 2019**

Tamilvanan

...Petitioner

Vs.

1.The Superintendent of Police,  
Thanajvur District.

2.The Inspector of Police,  
Vallam Police Station,  
Thanjavur District.

3.Mohanraj

4.Amutha

5.Ramesh

6.Arivazhagan

7.Moorthy

....Respondents

**PRAYER:** This Habeas Corpus Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Habeas Corpus, directing the second respondent to secure the detenu and produce the body of the detenu namely Meera Jasmine, daughter of Tamilvanan before this Court, illegally detained by the respondents 3 to 7 and hand over the custody of the detenu to the Petitioner forthwith.

For Petitioner  
For Respondents  
1 and 2

:Mr.P.Vadivel  
: Mr.K.Dinesh Babu  
Addl. Public Prosecutor

**O R D E R**

**S.VAIDYANATHAN, J.**

**AND**

**N.ANAND VENKATESH, J.**

This Habeas Corpus Petition is directed against the second respondent to secure the detenu and produce the body of the detenu



namely, Meera Jasmine, daughter of Tamilvanan before this Court, illegally detained by the respondents 3 to 7 and hand over the custody of the detenu to the Petitioner forthwith.

2.The learned Additional Public Prosecutor, on instructions, submitted that the detenu, who is aged about 16 years, had a love affair with the third respondent. Both of them eloped and a complaint was given by the Petitioner. The respondent Police registered an FIR in Crime No.239 of 2019, for an offence under Section 366(A) of IPC on 12.9.2019. In the course of investigation, the detenu and the third respondent were secured and they were produced before the Judicial Magistrate No.II, Thanajvur. The First Information Report has been altered by adding appropriate offence under the POCSO Act and the third respondent was remanded to judicial custody.

3.When the Judicial Magistrate No.II, Thanjavur directed the detenu to join with her parents, she refused and therefore she has been sent to Yagappa Home for Women, Arulanandhammal Nagar 7<sup>th</sup> Cross Street, Yagappa Nagar, Thanjavur District.

4.In view of the above development, no further orders can be passed by this Court in this Habeas Corpus Petition. The learned Judicial Magistrate No.II, Thanjavur shall pass appropriate orders with regard to the minor detenu, in accordance with law.

5.This Habeas Corpus Petition is disposed of accordingly.

Sd/-

Assistant Registrar ()

// True Copy //

Sub Assistant Registrar(CS)

vsn

To

1.The Judicial Magistrate No.II, Thanajvur.

2.The Superintendent of Police,  
Thanajvur District.

3.The Inspector of Police,  
Vallam Police Station,  
Thanjavur District.



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

5. The Secretary  
Yagappa Home for Women,  
Arulanandhammal Nagar,  
7<sup>th</sup> Cross Street, Yagappa Nagar,  
Thanjavur District.

**ORDER MADE IN**  
**H.C.P (MD)No.1194 of 2019**  
**13.11.2019**

VB(26.11.2019) 3P 6C