

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.09.2020

CORAM

THE HONOURABLE MR. JUSTICE N. KIRUBAKARAN
AND

THE HONOURABLE MR. JUSTICE P. VELMURUGAN

H.C.P. No. 672 of 2020

M. Narayanamurthy ... Petitioner

Vs.

1. The Superintendent of Police,
Office of the Superintendent of Police
of Nagappattinam District,
Nagappattinam.

2. The State rep. by
The Inspector of Police,
Velipalayam Police Station,
Nagappattinam District.

3. Sudha Respondents

Prayer: Petition under Article 226 of the Constitution of India praying for issue of a Writ of Habeas Corpus directing the 1st and 2nd respondent Police to secure and produce the petitioner's minor daughter namely Santhiya, detenue aged about 17 years who is under the illegal custody of the 3rd respondent before this Hon'ble High Court and hand over to the petitioner.

For Petitioner :: Mrs. Sudharsana Sundar
for Mr.G. Suresh

For Respondents:: Mr.R. Prathapkumar
Addl. Public Prosecutor

O R D E R

(Order of the Court was made by N. KIRUBAKARAN,J.)

The matter is heard through videoconferencing.

2. The petitioner, who is the father of the minor, has come forward with the present Habeas Corpus Petition to direct the 1st and 2nd respondent Police to secure and produce his minor daughter namely Santhiya, detainee aged about 17 years, who is stated to be missing from 23.01.2020 and who is under the illegal custody of the 3rd respondent before this Hon'ble High Court and hand over her to the petitioner.

3. Based on the petitioner's complaint, a case was registered in Crime No. 47 of 2020 on 24.03.2020 by the 2nd respondent Police.

4. When the matter is called today, it is represented by the learned counsel for the petitioner that the minor girl has been secured and she has been handed over to the petitioner.

5. Mr.R.Prathap Kumar, learned Additional Public Prosecutor would produce the report by the Inspector of Police, Velipalayam Police Station stating that the minor girl, who is said to have eloped with one Surya, has been secured and the said Surya has been arrested in Crime No. 47/2020, which was originally registered under Section 366 IPC as "Girl Missing" case and subsequently, altered to Section 366 IPC read with Section 5(1)(j)(ii) of POCSO Amendment Act 2019 and he has been remanded to judicial custody.

6. Recording the above facts, the Habeas Corpus Petition is closed.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

nv

To

1. The Superintendent of Police,
Office of the Superintendent of Police
of Nagappattinam District,
Nagappattinam.
2. The Inspector of Police,
Velipalayam Police Station,
Nagappattinam District.

3. The Public Prosecutor,
High Court, Madras.

H.C.P. No. 672 of 2020

nrjk[col]
srg 05/11/2020



WEB COPY