

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.12.2020

CORAM

THE HONOURABLE MR. JUSTICE M.M. SUNDRESH
AND
THE HONOURABLE MR. JUSTICE D. KRISHNAKUMAR

H.C.P. No. 2378 of 2020

C. Sampath

..Petitioner

Vs.

1. The Superintendent of Police,
Tiruvannamalai District.
2. The Inspector of Police,
Jamunamarathur Police Station,
Tiruvannamalai,
Tiruvannamalai District.

3. Mr.Jayaraj

..Respondents

Prayer: Petition under Article 226 of the Constitution of India praying for issue of a Writ of Habeas Corpus to direct the respondents to produce the body of petitioner's daughter detinue Priyadharshini, minor girl aged 13 years and hand over her to the petitioner custody.

For Petitioner :: Mr.B.Mahendra Naidu

For Respondents :: Mr.R. Prathap Kumar
Addl. Public Prosecutor
for R1 & R2

O R D E R

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

The petitioner is the father of the detinue, who is admittedly a minor. Inter alia, alleging that she is under the illegal custody of the private respondent, the present petition has been filed.

2. Learned Additional Public Prosecutor appearing for respondents 1 and 2 submitted that the detinue has been secured and handed over to Child Welfare Committee, Tiruvannamalai District and thereafter, she has been sent to TDH Reception Home for Girls. It is further submitted that one person has been

apprehended and the private respondent namely the third respondent herein is yet to be secured. The case registered has also been altered to Section 366A IPC read with provisions of POCSO Act.

3. In such view of the matter, the Habeas Corpus Petition is closed giving liberty to the petitioner to approach the Child Welfare Committee, Tiruvannamalai, to have the custody of the detainee.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The Superintendent of Police,
Tiruvannamalai District.
2. The Inspector of Police,
Jamunamarathur Police Station,
Tiruvannamalai,
Tiruvannamalai District.
3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.B.Mahendra Naidu, Advocate, S.R.No. 40505

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SR(CO)
GN(18/01/2021)

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