



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **27.01.2020**

CORAM:

THE HONOURABLE MR.JUSTICE T.RAJA

AND

THE HONOURABLE MR.JUSTICE **B.PUGALENDHI**

H.C.P. (MD)No.49 of 2020

C.Sheela

: Petitioner

Vs

1.The Superintendent of Police,
Nagercoil,
Kanyakumari District.

2.The Inspector of Police,
All Women Police Station,
Colachel
Kanyakumari District.

3.Ashik

: Respondents

Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Habeas Corpus, directing the respondents 1 & 2 to produce the person or body of the petitioner's minor daughter namely Archana, D/o.Cristen, aged about 17 years, before this Court and set her at liberty.

For Petitioner : Mr.J.Jawahar for
Mr.J.Senthil Kumariah

For Respondents : Mr.K.Dinesh Babu
Addl.Public Prosecutor for RR-1 & 2

O R D E R

[Order of the Court was made by **T.RAJA, J.**]

Mrs.C.Sheela, mother of the detainee, has come to this court, seeking a direction to the respondents 1 & 2 to produce the person or body of her minor daughter namely Archana, D/o.Cristen, aged about 17 years, before this Court and set her at liberty.

2.Today, the minor detainee Ms.Archana aged about 17 years was produced before us by the respondent Police. On her appearance, she agreed to go with the petitioner/her mother, who is also present before us.

3.As we are satisfied that the detainee has realized her



fault and she has expressed her willingness to go with her mother, we are of the view that no further adjudication is required in this habeas corpus petition.

4.It is also pertinent to note that the petitioner has lodged a complaint with the second respondent Police for tracing out her minor daughter/detenué and in this regard, a case was registered in Cr.No.20 of 2019 for the offence under Section 366 of I.P.C against the third respondent and subsequently, the respondent Police have also rightly altered the offence under Section 366 I.P.C into the offence under the POCSO Act.

5.Learned Additional Public Prosecutor also submitted that the third respondent was arrested and produced before the Special Court for Prevention of Children from Sexual Offences Act, Nagercoil.

6.In view of the above facts and circumstances of the case, this habeas corpus petition is disposed of.

Sd/-

Assistant Registrar (CS-III)

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/ /2020

Sub Assistant Registrar(CS)

vs

To

1.The Superintendent of Police,
Nagercoil, Kanyakumari District.

2.The Inspector of Police,
All Women Police Station,
Colachel, Kanyakumari District.

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

+1 CC to M/s.J.SENTHIL KUMARAI AH, Advocate (SR-3616[F] dated
29/01/2020)

Order made in
H.C.P. (MD)No.49 of 2020
27.01.2020

JMN(12.02.2020) 2P : 5C