



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.12.2020

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

and

THE HONOURABLE MRS.JUSTICE T.KRISHNAVALLI

H.C.P. (MD) No.839 of 2020

WEB COPY

K.Ponnusamy

... Petitioner

-vs-

1.The Superintendent of Police,
Thanjavur District, Thanjavur.

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

3.Sarabose

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus directing the respondents herein to produce the body of the detainee namely, Gnana Sundari, niece of petitioner herein, aged about 17 years, D/o Selvamani, who is illegally detained by the third respondent herein against her wish and handover her custody to the petitioner.

For Petitioner : Mr.K.S.Duraipandian

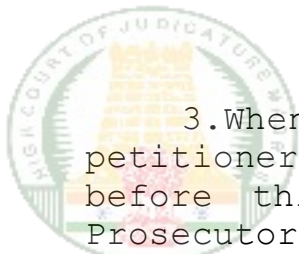
For Respondents : Mr.K.Dinesh Babu
Additional Public Prosecutor

O R D E R

[Order of the Court was made by K.KALYANASUNDARAM, J.]

This habeas corpus petition has been filed by the petitioner seeking a direction to the respondents to produce his cousin's daughter, namely, Gnanasundari, aged about 17 years from the illegal detention of the third respondent and handover her custody to the petitioner.

2.It is the case of the petitioner that his cousin Selvamani sent his daughter, the detainee herein for joining a college at Kumbakonam. However, on 16.09.2020, she was kidnapped by the third respondent and hence, a complaint was lodged to the second respondent on 19.09.2020 and FIR in Crime No.1661 of 2020 has also been registered under girl missing. Thereafter, no effective step has been taken by the respondents. Hence, the present petition



3. When the matter is taken up for hearing today, the petitioner, the detinue Gnanasundari and her parents appeared before this Court through video conferencing from the Public Prosecutor's Office. On enquiry, the detinue would state that she is willing to go with the petitioner. The parents of the detinue have also stated that the detinue can be sent to the petitioner to pursue her education.

4. In the light of the above statement, we find no merits in this habeas corpus petition and hence, the same is dismissed.

Sd/-

Assistant Registrar (CS-III)

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/ /2021

Sub Assistant Registrar (CS)

skn

Note :

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To

1. The Superintendent of Police,
Thanjavur District,
Thanjavur.
2. The Inspector of Police,
Thiruvidaimarudur Police Station,
Thanjavur District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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