



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.11.2020

CORAM:

WEB COPY

**THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM
and
THE HONOURABLE MRS.JUSTICE T.KRISHNAVALLI**

H.C.P. (MD) No.941 of 2020

Rajan

... Petitioner

-VS-

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

2.State of Tamil Nadu,
rep. by the Inspector of Police,
All Women Police Station,
Kulithalai.

(Crime No. Not known to the petitioners)

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus to direct the respondents to produce the body or person of the detainee namely, R.Buwaneshwari aged about 14 years before this Court and to hand over the custody of the detainee to the petitioner.

For Petitioner : Ms.J.Maria Roseline
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 seeking a direction to the respondents to produce the petitioner's daughter namely, R.Buwaneshwari, aged about 14 years before this Court and hand over her custody to the petitioner.

2.Mr.K.Dinesh Babu, learned Additional Public Prosecutor would submit that on the basis of the complaint given by the detainee in this case, along with Child Welfare Committee, a case was registered



in Crime No.10 of 2020 by all Women Police Station, Kulithalai against 5 accused, including the petitioner herein. It is further submitted that the detainee was produced before the learned Judicial Magistrate, Kulithalai. and as per the order of the Judicial Magistrate, the detainee is kept in Government Vigilance Home at Kulithalai.

3.Ms.J.Maria Roseline, learned counsel for the petitioner would argue that the petitioner is the father of the detainee and one Prakash wanted to marry the detainee, but it was not accepted by her parents and hence, in order to give torture the girl as well as her family members, a false complaint was given to the respondent police.

4.In the light of the above submission of the learned Additional Public Prosecutor, this Court is of the opinion that nothing survives for consideration in this case and accordingly, this Habeas Corpus Petition is closed, however, liberty is given to the petitioner to approach the concerned forum for appropriate relief.

Sd/-

Assistant Registrar

// True Copy //

/ /2020

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,
Karur,
Karur District.



2.The Inspector of Police,
State of Tamil Nadu,
All Women Police Station,
Kulithalai.

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

+1 CC to M/s.J.MARIA ROSELINE, Advocate (SR-21290[F] dated
05/11/2020)

H.C.P. (MD) No.941 of 2020

05.11.2020

PU (CO)

NR (10/11/2020) 3P : 5C