



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.12.2020

CORAM:

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

H.C.P. (MD) No.953 of 2020

S.Baskaran

... Petitioner

-VS-

1.The Superintendent of Police
Thanjavur District

2.The Inspector of Police
Town West Police Station
Thanjavur, Thanjavur District
(Crime No.1675/20)

3.Sakthi

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus directing the respondents 1 and 2 to produce the body of the detainee namely B.Rashika daughter of S.Baskaran, aged about 17 years old before this Court and handover her custody to the petitioner.

For Petitioner : Mr.A.Rahul

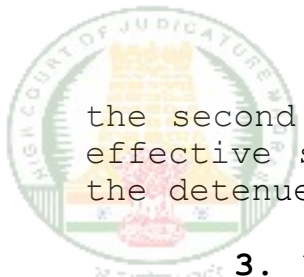
For Respondents : Mr.K.Dinesh Babu
Additional Public Prosecutor for R1 & R2

O R D E R

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

The petitioner has filed this habeas corpus petition seeking direction to the respondents 1 and 2 to produce his daughter, namely, Rashika, aged about 17 years, before this Court and handover her custody to him.

2. It is the case of the petitioner that his daughter Rashika was born on 24.11.2002 and she is studying 1st year B.Sc., (Computer Science) at Bon Secours College, Thanjavur. It is alleged that when his daughter went for morning walk at 07.00 a.m. on 19.10.2020, the third respondent kidnapped her. Though he lodged a complaint with



the second respondent Police on 19.10.2020 itself, but till date no effective steps have been taken by the respondent Police to secure the detainee. Hence, this habeas corpus petition.

3. When the matter is taken up for hearing, the petitioner and the detainee appeared before this Court through Video Conferencing from the Office of the Public Prosecutor. On enquiry, the detainee would state that since her parents were scolding for her continuous talk in Cellphone, she on her own volition left the house on 19.10.2020 and gone to Tirupur. After knowing that a case was registered and the Police are searching her, she came back to her house. She would further state that she is not kidnapped by the third respondent as alleged by the petitioner and she is ready to go with her father / petitioner herein, who has also accepted the same.

4. In the light of the above statement of the detainee, the habeas corpus petition is closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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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.

2.The Inspector of Police,
Town West Police Station,
Thanjavur, Thanjavur District.

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

+1 CC to M/s.A.RAHUL, Advocate (SR-24524[F] dated 08/12/2020)

H.C.P. (MD) No.953 of 2020

07.12.2020

VR(CO)

AP(16/12/2020) 2P 5C

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