



WEB COPY

H.C.P(MD) No.1181 of 2020

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.1181 of 2020

Rajalakshmi

... Petitioner

-vs-

1.The Superintendent of Police
Sivagangai District, Sivagangai

2.The Inspector of Police
Poovanthi Police Station
Sivagangai District
(In Crime No.267/2020)

3.Vijay

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus directing the respondents to produce the detainee namely Narmadha, aged 16 years, before this Court for eventual restoration to the custody of the petitioner herein.

For Petitioner : Mr.T.Kumar

For Respondents : Mr.K.Dinesh Babu

Additional Public Prosecutor

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 to produce her daughter, namely, Narmadha, aged 16 years, before this Court and set her at liberty.

2. It is the case of the petitioner that she is having three children and the detainee Narmadha is studying 12th Standard in St.Justin Matriculation Higher Secondary School, Sivagangai and she is found missing from 11.12.2020 and hence, she lodged a complaint before the second respondent - Police. Since no appropriate action was taken by the respondent - Police, the present habeas corpus petition.

3. When the matter is taken up for hearing, Mr.K.Dinesh Babu, who takes notice for the respondents 1 and 2, would submit that the third respondent kidnapped the detainee on 10.12.2020 and both of them were secured by the second respondent on 17.12.2020 and the



third respondent has been remanded to judicial custody by the POCSO Court, Sivagangai.

4. The petitioner and her daughter / detenue appeared before this Court through Video Conferencing from the Office of the Public Prosecutor. On enquiry, the petitioner would state that her daughter / detenue is now with her from 17.12.2020.

5. In the light of the above submission of the petitioner, the relief sought for in this habeas corpus petition has become infructuous and the same is therefore dismissed as infructuous.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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.

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To:

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

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