



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.07.2021

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH
and
THE HONOURABLE MR.JUSTICE R.PONGIAPPAN

H.C.P.No.264 of 2021

Jyothimani
S/o.Kaveri

... Petitioner

Vs

1. The Superintendent of Police,
Coimbatore.
2. The State represented by
Inspector of Police,
Sirumugai Police Station,
Coimbatore District.

... Respondents

Habeas Corpus Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus directing the second respondent to produce the petitioner's child Gomathi D/o.Jyothimani, aged 17 years, herein before this Court and handover the custody of the child to the petitioner, who is the natural guardian.

For Petitioner : Mr.R.Dhandapani

For Respondents: Mr.R.Muniyapparaj
Government Advocate [Crl.side]

O R D E R

[Order of the Court was made by P.N.PRAKASH, J]

This petition has been filed seeking a direction to the second respondent to produce the petitioner's daughter Gomathi D/o.Jyothimani, aged 17 years, herein before this Court and handover the custody to the petitioner.



WEB COPY

2. On 22.04.2021, we passed the following order:

'It is the case of the petitioner that her daughter Gomathi, aged 17 years, went missing from 11.01.2021 and that the police are not taking effective steps to secure her.'

2. On instructions, the learned Additional Public Prosecutor submitted that, on a complaint given by the petitioner, a case in Sirumugai P.S.Crime No.15 of 2021 for "girl missing" was initially registered on 13.01.2021 and thereafter, it was altered to one under Section 366-A IPC against one Karthik on 15.01.2021 and investigation is in progress.

3. In view of the above, we direct the Deputy Superintendent of Police, Mettupalayam Sub-Division, to monitor the investigation in Sirumugai P.S.Crime No.15 of 2021 and keep the petitioner informed of the developments, if any. As and when the detinue is secured, she shall be produced before the Judicial Magistrate, Mettupalayam, under intimation to the petitioner. On such production, the learned Magistrate shall pass appropriate orders.

Post the matter on 14.06.2021.'

3. Today, when the matter is taken up for hearing, learned Government Advocate [Crl.side] submitted that the date of birth of the missing girl Gomathi is 20.06.2003. Gomathi went missing on 11.01.2021 and she was secured by the police on 08.07.2021, on which date, she attained majority. Gomathi was produced before the Additional Mahila Court (Magestrial Level), Coimbatore, on 08.07.2021. When enquired, Gomathi expressed her willingness to go along with the parents of one Karthik, against whom a case was registered in Crime No.15 of 2021 on the file of Sirumugai Police Station, based on the complaint given by the petitioner. Since Gomathi is a major, she was permitted to act as per her wish.

Recording the aforesaid submission, this Habeas Corpus Petition is closed.

Sd/-

Assistant Registrar (CS)

// True Copy//

Sub Assistant Registrar

gm



To

1. The Additional Mahila Court (Magistrial Level),
Coimbatore.
2. The Superintendent of Police,
Coimbatore.
3. The Inspector of Police,
Sirumugai Police Station,
Coimbatore District.
4. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.P.Pandiyaraj, Advocate, S.R.No.34554

H.C.P.No.264 of 2021

PVS (CO)
SU(17/08/2021)