

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.06.2021

Coram

THE HONOURABLE MR. JUSTICE M.DURAI SWAMY
AND
THE HON'BLE MRS.JUSTICE R.HEMALATHA

H.C.P.No.508 of 2021

K.Rangaraj

... Petitioner

Vs.

1. The Commissioner of Police,
Coimbatore District, Coimbatore.

2. The Inspector of Police,
Vadavalli Police Station,
Coimbatore District.

3.Ragul

4.Ramya

5.K.Arjunan

6.Kasthuri

... Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus to direct the 2nd respondent to produce the petitioner's minor daughter Narmadha aged about 16 years before this Court from the illegal custody of the respondents 3 to 6 and hand over to the petitioner.

For Petitioner : Mr.V.Ajoy Khose

For Respondents : Mr.R.Muniyapparaj,
Government Advocate (Criminal Side)

O R D E R

(Order of the Court made by R.HEMALATHA, J.)

The petitioner is the father of detainee Narmadha, who is aged about 16 years. In the affidavit filed along with the petition, the petitioner has contended that his daughter Narmadha went missing from his house since 15.02.2021 and a First Information Report in Crime Number 50/2021 was registered by the Inspector of Police, Vadavalli Police Station, Coimbatore on 15.02.2021 based on his complaint. His further contention is that the third respondent who is his own brother's son abducted his daughter.

2.On issuance of notice to the respondents, the Inspector of

Police, Vadavalli Police Station, produced the detenue, Narmadha, aged 16 years, through virtual mode and when we enquired, the detenue contented that she is at present residing with her maternal grandparents at Ramanathapuram. She also expressed her willingness to go with her parents.

3. Recording the submissions of the detenue, Narmadha, custody of the detenue Narmadha is handed over to the petitioner.

4. Mr.R.Muniyapparaj, learned Government Advocate (criminal side) contended that an alteration report in Crime Number 50/2021 under relevant Provisions of POCSO Act against the third respondent was filed before the Jurisdictional Magistrate and that the third respondent was also remanded to judicial custody on 10.05.2021.

5. Recording the same, the Habeas Corpus Petition is disposed of.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

1. The Commissioner of Police,
Coimbatore District, Coimbatore.
2. The Inspector of Police,
Vadavalli Police Station, Coimbatore District.
3. The Public Prosecutor,
High Court, Madras.

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CP(CO)
SU(13/07/2021)