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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 26.07.2021

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH
AND

THE HONOURABLE MR.JUSTICE R.PONGIAPPAN

H.C.P.No.698 of 2021

C.Dharuman

..Petitioner

Vs.

1.State rep. by
The Superintendent of Police
Dharmapuri, Dharmapuri District

2.The Inspector of Police
Papparapatti Police Station
Dharmapuri District

3.Thamizh Selvan

..Respondents

Petition filed under Article 226 of the Constitution of India, praying to issue a WRIT OF HABEAS CORPUS directing the 2nd respondent to produce the body and person of D.Kalaiselvi, D/o.Dharuman, aged 17 years, before this Hon'ble Court, who is in custody of the 3rd respondent at Karuppain Halli, Pandahalli Post, Nallampalli Taluk, Dharmapuri District and hand over her custody to the petitioner.

For Petitioner : Mr.C.D.Sugumar

For R1 and R2 : Mr.R.Muniyapparaj
Government Advocate (Crl. Side)

O R D E R

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

On 30.04.2021, we passed the following order :

"It is the case of the petitioner that, his daughter viz., Kalaiselvi, aged 17 years, went missing from 10.04.2021 and that the police are not taking effective steps to secure her.



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2. On instructions, the learned Additional Public Prosecutor submitted that, on a complaint given by the petitioner, a case in Papparapatti P.S.Crime No.129 of 2021 has been registered on 11.04.2021 for the offence under Section 366-A IPC against one Thamizhselvan/R3 and investigation is in progress.

3. In view of the above, we direct the Deputy Superintendent of Police, Pennagaram, to monitor the investigation in Papparapatti P.S.Crime No.129 of 2021 and keep the petitioner informed of the developments, if any. As and when the detainee is secured, she shall be produced before the Judicial Magistrate, Pennagaram, under intimation to the petitioner. On such production, the learned Magistrate shall pass appropriate orders, with regard to the custody of the detainee.

Post the matter on 28.06.2021."

2. Today, Kalaiselvi was produced before us via video conferencing by the Inspector of Police, Papparapatti Police Station from the said police station. When enquired by us, she stated her date of birth as 02.12.2002 and she is 19 years old. She further stated that she got married to R3 (Thamizhselvan) on 05.07.2021 and that she is now living with her parents-in-law.

In such view of the matter, this Habeas Corpus Petition stands closed with a direction to the 2nd respondent to produce Kalaiselvi before the Judicial Magistrate, Pennagaram, under intimation to the petitioner and on such production, the learned Magistrate shall pass appropriate orders, with regard to her custody.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

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To

1.The Judicial Magistrate,
Pennagaram



2.The Inspector of Police
Papparapatti Police Station
Dharmapuri District

3.The Public Prosecutor
High Court, Madras

H.C.P.No.698 of 2021

PL (CO)
RGA (18/08/2021)