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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 28.06.2021

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH
AND

THE HONOURABLE Mr.JUSTICE R.PONGIAPPAN

H.C.P.No.702 of 2021

Lakshmipathi

.. Petitioner

Vs.

1.State rep. by
The Superintendent of Police
Krishnagiri
Krishnagiri District

2.State rep. by
The Inspector of Police
All Women Police Station
Krishnagiri District

3.Vivek

.. Respondents

Petition filed under Article 226 of the Constitution of India, praying to issue a WRIT OF HABEAS CORPUS to direct the 2nd respondent police to produce the petitioner's daughter Thirisha, aged about 17 years before this Hon'ble Court from the custody of the 3rd respondent and hand over to the petitioner.

For Petitioner : Mr.M.Jayachandran

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.]

This petition has been filed seeking a direction to the 2nd respondent to produce the petitioner's daughter viz., Thirisha, aged about 17 years, before this Court from the custody of the 3rd respondent.



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2. On 30.04.2021, we passed the following order :

"It is the case of the petitioner that, his daughter viz., Thirisha, aged 17 years is in the illegal custody of the 3rd respondent 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 Krishnagiri AWPS Crime No.5 of 2021 has been registered on 02.04.2021 for the offences under Sections 363 and 366 IPC against one Vivek/R3 and investigation is in progress.

3. In view of the above, we direct the Deputy Superintendent of Police, Krishnagiri Sub-Division, to monitor the investigation in Krishnagiri AWPS Crime No.5 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 No.I, Krishnagiri, 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."

3. When the matter was taken up for hearing, the learned Government Advocate (Crl. Side) submitted that pursuant to the order dated 30.04.2021, Thirisha was secured by the police on 22.06.2021 and was produced before the learned Judicial Magistrate No.I, Krishnagiri.

Recording the submission of the learned Government Advocate (Crl. Side), this habeas corpus petition stands closed.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

gya

To

1.The Judicial Magistrate No.1,
Krishnagiri.

2.The Deputy Superintendent of Police,
Krishnagiri, Sub-Division.



3.The Superintendent of Police
Krishnagiri
Krishnagiri District

4.The Inspector of Police
All Women Police Station
Krishnagiri District

5.The Public Prosecutor
High Court, Madras

H.C.P.No.702 of 2021

RLD(CO)
CB(16/07/2021)