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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.07.2021

CORAM

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

H.C.P.NO.748 OF 2021

S.Sathya
W/o.Samuthirapandy

.. Petitioner

Vs.

1. The Superintendent of Police,
Office of Superintendent of Police (Rural),
State Bank Road,
Coimbatore - 641 046.
2. The Deputy Superintendent of Police,
Office of Deputy Superintendent of Police (Rural),
Perur Sub Division, Near Chwra Vidhya Bhavan,
Somayampalayam,
Coimbatore - 641 018.
3. The Inspector of Police,
Kinathukadavu Police Station,
Coimbatore.
Crime No.71/2021
4. Subramani
S/o.Karupathal

.. Respondents

Habeas Corpus Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus directing the third respondent to produce the petitioner's minor daughter Jaybel Kousika D/o.Selvan, aged about 16 years, before this Court, within the time stipulated by this Court and handover custody to the petitioner from the custody of fourth respondent.

For Petitioner : Mr.S.Ramesh

For Respondents: Mr.R.Muniyapparaj
Government Advocate [Crl.side]
[R1 to R3]



ORDER

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

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This petition has been filed seeking a direction to third respondent to produce the petitioner's minor daughter Jaybel Kousika D/o.Selvan, aged about 16 years, before this Court and handover custody to the petitioner.

2. On 25.06.2021, we passed the following order:

'It is the case of the petitioner that her daughter viz. Jaybel Kousika, aged about 16 years, went missing since 21.03.2021 and that, the Police are not taking effective steps to secure her.

2. On instructions, Mr.R.Muniyapparaj, learned Government Advocate [Crl. Side] submitted that, on a complaint given by the petitioner, a case in Kinathukadavu Police Station Crime No.71 of 2021 has been registered on 22.03.2021 for 'girl missing' and investigation is in progress.

3. In view of the above, we direct the Deputy Superintendent of Police, Pollachi, to monitor the investigation in Kinathukadavu Police Station Crime No.71 of 2021 and keep the petitioner informed of the developments, if any. As and when the detinue viz., Jaybel Kousika is secured, she may be produced before the learned Judicial Magistrate No.I, Pollachi, under intimation to the petitioner. On such production, the learned Judicial Magistrate No.I, Pollachi, shall pass appropriate orders with regard to the custody of the detinue.

Post the matter on 23.07.2021.'

3. Today, when the matter is taken up for hearing, learned Government Advocate [Crl.side] submits that the missing girl Jaybel Kousika was secured by the police and was produced before the Child Welfare Committee, Coimbatore, on 07.07.2021 and on the directions of Child Welfare Committee, she is now lodged in a Children's Home viz., 'Life for all', Periyannayakkanpalayam, Coimbatore. This has also been intimated to the learned Judicial Magistrate II, Coimbatore.



Recording the same, this Habeas Corpus Petition is closed with liberty to the petitioner to work out his remedy in the manner known to law.

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Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

gm

To

1. The Judicial Magistrate II,
Coimbatore.
2. The Superintendent of Police,
Office of Superintendent of Police (Rural),
State Bank Road,
Coimbatore - 641 046.
3. The Deputy Superintendent of Police,
Office of Deputy Superintendent of Police (Rural),
Perur Sub Division, Near Chwra Vidhya Bhavan,
Somayampalayam,
Coimbatore - 641 018.
4. The Inspector of Police,
Kinathukadavu Police Station,
Coimbatore.
5. The Public Prosecutor,
High Court, Madras.

H.C.P.No.748 of 2021

UM(CO)
CS/16/08/2021