



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.11.2021

Coram

The Honourable Mr. Justice P.N.PRAKASH
and
The Honourable Mrs. Justice R.HEMALATHA

H.C.P.No.1313 of 2021

S.Kavitha

... Petitioner

Vs.

1.The Superintendent of Police,
Krishnagiri, Krishnagiri District.

2.The Inspector of Police,
All Women Police Station,
Krishnagiri, Krishnagiri District.

3.Kannadasan @ Chittas

... Respondents

Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus directing the 1st and 2nd respondents to produce the body of the petitioner's minor daughter Suriya, aged 17 years, who is under the illegal custody of the 3rd respondent and hand over the custody of minor girl S.Suriya, aged 17 years, to the petitioner herein.

For Petitioner : Mr.V.Ashok Kumar

For RR 1 and 2 : Mr.R.Muniyapparaj,
Addl. Public Prosecutor

ORDER

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

This habeas corpus petition has been filed seeking to direct the 1st and 2nd respondents to produce the body of the petitioner's minor daughter Suriya, aged 17 years, who is under the illegal custody of the 3rd respondent and hand over her custody to the petitioner.



WEB COPY

2. On 26.08.2021, we passed the following order:

"It is the case of the petitioner that her minor daughter Suriya, aged about 17 years (D.O.B. - 07.08.2003), went missing from 06.01.2021 and she is in the illegal custody of Kannadasan @ Chittas, third respondent herein.

2. In this regard, on a complaint given by the petitioner, a case in Krishnagiri All Women Police Station Crime No.2 of 2021 has been registered on 27.01.2021 for the offences under Sections 363 and 366 IPC against the third respondent and investigation is in progress.

3. In the light of the above, we direct the Deputy Superintendent of Police, Krishnagiri Sub-Division, to monitor the investigation in Krishnagiri All Women Police Station Crime No.2 of 2021 and keep the petitioner informed of the developments, if any. As and when the detainee Suriya, aged about 17 years, is secured, she shall be produced before the Additional Mahila Court (Magisterial Level), Krishnagiri, under intimation to the petitioner. On such production, the learned Magistrate shall pass appropriate orders with regard to custody in accordance with law.

Post the matter on 23.09.2021."

3. Today, when the matter was taken up for hearing, the learned Additional Public Prosecutor submitted that the detainee Suriya was secured by the police on 16.11.2021 and the third respondent was arrested and remanded in judicial custody in Krishnagiri All Women Police Station Crime No.2 of 2021. He further submitted that Suriya was in the advanced stage of pregnancy and therefore, she was admitted in the Government Hospital, Pollachi, where, she delivered a girl baby on 09.11.2021. It is his further submission that the petitioner was informed of the pregnancy of Suriya and she was present beside her daughter in the hospital during delivery.



Recording the same, this habeas corpus petition stands closed.

WEB COPY

SD/-
ASSISTANT REGISTRAR

// TRUE COPY //

SUB ASSISTANT REGISTRAR

nsd

To

- 1.The Superintendent of Police,
Krishnagiri, Krishnagiri District.
- 2.The Inspector of Police,
All Women Police Station,
Krishnagiri, Krishnagiri District.
- 3.The Public Prosecutor,
High Court, Madras.

H.C.P.No.1313 of 2021

nrk[co]
srg 02/12/2021