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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.1407 OF 2021

Valarmathi

... Petitioner

.Vs.

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

2. The Inspector of Police,  
Thiruthuraipoondi,  
Thiruvarur District.

3. Vignesh Kannan

... Respondents

PRAYER:-

Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus directing the respondents 1 and 2 to produce the petitioner's daughter by name Priyadharshini, aged about 14 years, before this Hon'ble Court and restore her custody along with her.

For Petitioner : Mr.M.Subash

For RR 1 and 2 : Mr.R.Muniyapparaj,  
Additional 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 respondents 1 and 2 to produce the petitioner's daughter by name Priyadharshini, aged about 14 years, before this Hon'ble Court and restore her custody along with her.



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2. On 14.09.2021, we passed the following order:

"This petition has been filed seeking a direction to respondents 1 and 2 to produce the petitioner's daughter Priyadharshini, aged about 14 years, before this Court and hand over her custody to the petitioner.

2. It is the case of the petitioner that her daughter Priyadharshini, aged about 14 years, went missing since 28.06.2021 and that the police are not taking effective steps to secure her.

3. On instructions, learned Government Advocate [crl.side] submits that earlier when Priyadharshini went missing, on the complaint of the petitioner, a case in Thiruthuraipoondi AWPS Crime No.1 of 2021 for the offences u/s.5 and 6 of the POCSO Act was registered against the third respondent and he was arrested. Priyadharshini was also secured and handed over to her parents. After the third respondent was released on bail, he again eloped with Priyadharshini on 28.06.2021 in connection with which, again a case in Thiruthuraipoondi P.S. Crime No.1184 of 2021 for the offence u/s.366-A IPC was registered and investigation is in progress.

4. In view of the above, we direct the Deputy Superintendent of Police, Thiruthuraipoondi, to monitor the investigation in Thiruthuraipoondi AWPS Crime No.1 of 2021 and Thiruthuraipoondi P.S. Crime No.1184 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 learned Judicial Magistrate, Thiruthuraipoondi, under intimation to the petitioner. On such production, the learned Judicial Magistrate shall pass appropriate orders.

Post on 21.10.2021."

3. Today, when the matter was taken up for hearing, the learned Additional Public Prosecutor submitted that the victim girl was secured on 28.10.2021 and was handed over to her parents by the Child Welfare Committee, Thiruvarur, after due enquiry.

4. The learned counsel for the petitioner also conceded to the position.



Recording the same, this Habeas Corpus Petition stands closed.

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Sd/-  
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

bga

To

1. The Judicial Magistrate,  
Thiruthuraipoondi.
2. The Superintendent of Police,  
Thiruvarur District,  
Thiruvarur.
3. The Inspector of Police,  
Thiruthuraipoondi,  
Thiruvarur District.
4. The Deputy Superintendent of Police,  
Thiruthuraipoondi.
5. The Inspector of Police,  
All Women Police Station,  
Thiruthuraipoondi.
6. The Child Welfare Committee,  
Thiruvarur.
7. The Public Prosecutor,  
High Court, Madras.

H.C.P.NO.1407 OF 2021

PCH(CO)  
PBS/03/12/2021