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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.12.2021

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH
AND
THE HONOURABLE MRS.JUSTICE R.HEMALATHA

H.C.P.NO.1465 OF 2021

R.Gomathi
W/o.Rajan Prabu

... Petitioner

.Vs.

The State by

1. The Superintendent of Police,
Thirupattur District.
2. The Inspector of Police,
Omerabad Police Station,
Thirupathur District - 635 808.

... Respondents

PRAYER:-

Habeas Corpus Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Habeas Corpus directing the second respondent to produce the detainee R.Kanishka, aged about 16 years, before this Court and hand over to the petitioner.

For Petitioner : Mr.P.Saravanan
For Mr.J.Pachiyappan

For Respondents : Mr.R.Muniyapparaj
Additional Public Prosecutor

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 second respondent to produce the detainee R.Kanishka, aged about 16 years, before this Court and hand over to the petitioner.



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2. On 21.09.2021, we passed the following order:

'It is the case of the petitioner that her daughter Kanishka, aged about 16 years, went missing from 02.09.2021 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 Omerabad Police Station Crime No.483 of 2021 was registered on 03.09.2021 under Section 366-A IPC against one Thiyaagu and investigation is in progress.

3. In such view of the matter, this Court issues a direction to the Deputy Superintendent of Police, Ambur, to supervise the investigation in Omerabad Police Station Crime No.483 of 2021 and keep the petitioner informed of the developments, if any. As and when the detainee Kanishka, aged about 16 years, is secured, she shall be produced before the Judicial Magistrate, Ambur, 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 26.10.2021.'

3. Today, when the matter was taken up for hearing, on instructions, learned Additional Public Prosecutor submitted that the detainee Kanishka was secured by the police in Omerabad Police Station Crime No.483 of 2021 on 27.11.2021 and was produced before the learned Judicial Magistrate, Ambur and thereafter, she was handed over to her parents.

Recording the same, this Habeas Corpus Petition is closed.

Sd/-

Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

gm



To

1. The Superintendent of Police,
Thirupattur District.
2. The Inspector of Police,
Oomerabad Police Station,
Thirupathur District - 635 808.
3. The Deputy Superintendent of Police,
Ambur.
4. The Judicial Magistrate,
Ambur.
5. The Public Prosecutor
High Court, Madras.

H.C.P.NO.1465 OF 2021

BR(CO)
PBS/21/12/2021