



WEB COPY



H.C.P.No.1604 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.12.2021

CORAM

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

H.C.P.No.1604 of 2021

Sakthivel
S/o.Palanimuthu

.. Petitioner

Vs.

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

2.The Inspector of Police,
Sankari Police Station,
Salem District.

3.Rajendiran
S/o.Mani

.. Respondents

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 petitioner's daughter, namely, Jothika, aged 17 years, before this Court from the illegal custody of the third respondent and hand over her custody to the petitioner.



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For Petitioner : Mr.T.N.Rangesh Kanna
For Respondents : Mr.R.Muniyapparaj
Additional Public Prosecutor [R1 & R2]

ORDER

[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 petitioner's daughter, namely, Jothika, aged 17 years, before this Court from the illegal custody of the third respondent and hand over her custody to the petitioner.

2. On 07.10.2021, we passed the following order:

'It is the case of the petitioner that the petitioner's daughter viz., Jothika, aged about 17 years, went missing from 05.07.2021 and that the police are not taking effective steps to secure her.

2. On instructions, learned Additional Public Prosecutor, submits that based on the complaint of the petitioner, a case in Sankari P.S.Crime No.260 of 2021 was registered on 06.07.2021 for offences u/s.363 and 366 IPC and investigation is in progress.

3. In such view of the matter, this Court directs the Deputy Superintendent of Police, Sangagiri, to supervise the investigation in Sankari P.S.Crime No.260 of 2021 and keep



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the petitioner informed of the developments, if any. As and when the detenue is secured, she shall be produced before the learned Judicial Magistrate I, Sangagiri, under intimation to the petitioner. On such production, the learned Magistrate shall pass appropriate orders, with regard to custody, in accordance with law.

Post on 08.11.2021.'

3. Today, when the matter was taken up for hearing, on instructions, learned Additional Public Prosecutor submitted that the alleged detenue Jothika was secured by the police in Sankari P.S.Crime No.260 of 2021 on 15.11.2021 and was produced before the learned Judicial Magistrate I, Sankari and she was handed over to her parents. The accused was also arrested and remanded to judicial custody.

Recording the same, this Habeas Corpus Petition is closed.

[P.N.P., J] [R.H., J]
06.12.2021

Index : Yes / No
gm

P.N.PRAKASH, J



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and
R.HEMALATHA, J

gm

To

- 1.The Superintendent of Police,
Salem District,
Salem.
- 2.The Inspector of Police,
Sankari Police Station,
Salem District.
- 3.The Public Prosecutor
High Court, Madras

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