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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.11.2021

Coram

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

H.C.P.No.1686 of 2021

Maheswari .. Petitioner/Mother of the defenue
Vs.

1. The Superintendent of Police,
Cuddalore District, Cuddalore.
2. The Deputy Superintendent of Police,
Sethiyathope Sub-Division,
Cuddalore District.
3. The Inspector of Police,
Kumaratchi Police Station,
Cuddalore District.

4.Sivakumar .. Respondents

Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus directing the 3rd respondent herein to produce the body and person of the detenue by name Prema, daughter of Sasikumar, aged about 17 years, before this Court from the custody of the 4th respondent herein and have over to the petitioner.

For Petitioner : Mr.S.Sasikumar

For RR 1 to 3 : 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 3rd respondent herein to produce the body and person of the detenue by name Prema, daughter of Sasikumar, aged about 17 years, before this Court from the custody of the 4th respondent



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herein and have over to the petitioner.

2. On 25.10.2021, this Court passed the following order:

"It is the case of the petitioner that her daughter Prema, aged about 17 years, went missing from 19.09.2021 and thereafter, her whereabouts are not known and it is the grievance of the petitioner that the police are not taking effective steps to secure her.

2. On instructions, the Additional Public Prosecutor submitted that on a complaint given by the petitioner, a case in Kumaratchi Police Station Crime No.141 of 2021 was registered on 21.09.2021 under Section 366-A IPC against Sivakumar, fourth respondent herein and investigation is in progress.

3. In such view of the matter, we direct the Deputy Superintendent of Police, Sethiyathope Sub-Division, to supervise the investigation in Kumaratchi Police Station Crime No.141 of 2021 and keep the petitioner informed of the developments, if any. As and when the detainee Prema, aged about 17 years, is secured, she shall be produced before the Judicial Magistrate Court No.II, Chidambaram, 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 22.11.2021."

3. When the matter was taken up for hearing, the learned Additional Public Prosecutor and the learned counsel for the petitioner submitted that the detainee Prema has been secured on 07.11.2021 and was handed over to her parents after producing before the Judicial Magistrate Court No.II, Chidambaram.

Recording the same, this habeas corpus petition stands closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

nsd



- ## 2. The

GPL (CO)
CT 08/12/2021