



WEB COPY

H.C.P.(MD) No.291 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.03.2021

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

and

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

H.C.P. (MD) No.291 of 2021

and

Crl.M.P. (MD) No.1980 of 2021

Arumugakani

... Petitioner/
Mother of the detainee

-vs-

1.The Superintendent of Police
Tirunelveli District, Tirunelveli

2.The Inspector of Police
Panagudi Police Station
Tirunelveli District

3.The Inspector of Police
All Women Police Station
Valliyoor, Tirunelveli District

4.Stephen ... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus directing the respondents 1 to 3 to produce the body or person of the petitioner's daughter by name M.Indhuja, daughter of Muthukalanjiyam, (female, minor aged 14 years), detainee in the present case, before this Court and consequently hand over her custody to the petitioner.

For Petitioner : Mr.C.Anand

For Respondents : Mr.R.Anandharaj
Additional Public Prosecutor
for R1 to R3

O R D E R

[Order of the Court was made by K.KALYANASUNDARAM, J.]

The petitioner has filed this habeas corpus petition seeking direction to the respondents 1 to 3 to produce her daughter, namely, M.Indhuja, daughter of Muthukalanjiyam, aged 14 years, before this Court and hand over her custody to the petitioner.



2. Heard Mr.C.Anand, learned counsel appearing for the petitioner and Mr.R.Anandharaj, learned Additional Public Prosecutor appearing for the State.

3. Today, when the matter is taken up for hearing, both the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondent Police would state that the detainee had voluntarily surrendered before the second respondent Police and thereafter, she was sent to the third respondent Police and on 08.03.2021, she was produced before the learned Judicial Magistrate, Valliyoor. According to the learned counsels, Section 164 Cr.P.C. statement of the detainee was recorded and thereafter, she was subjected to examination and now, she is in the custody of her mother / petitioner herein. It is also stated that even though originally the case was registered under "Girl Missing", after arrest and remand of the fourth respondent to judicial custody, the case was altered into Sections 5 and 6 of the Protection of Children from Sexual Offences Act, 2012 and 366 I.P.C.

4. In the light of the above statement of the learned counsels, we are of the opinion that no further adjudication is required in this habeas corpus petition and the same is therefore closed. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

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To:

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



2.The Inspector of Police,
Panagudi Police Station,
Tirunelveli District.

3.The Inspector of Police,
All Women Police Station,
Valliyoor, Tirunelveli District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

H.C.P. (MD) No.291 of 2021

and

Cr1.M.P. (MD) No.1980 of 2021

10.03.2021

VB (23.03.2021) 3P 5C