



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.07.2021

CORAM:

**THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM**

**and**

**THE HONOURABLE MR.JUSTICE B.PUGALENDHI**

H.C.P.(MD) No.345 of 2021

WEB COPY

Shanmugam

... Petitioner

-vs-

1.The Superintendent of Police,  
Pudukkottai & District.

2.State rep. by  
The Sub-Inspector of Police,  
Panayapatti Police Station,  
Pudukkottai District.

3.Sivasamy

4.Subramanian

5.Vasantha

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus directing the 1<sup>st</sup> and 2<sup>nd</sup> respondents herein to produce the body or person of the petitioner's minor daughter namely, Rajalakshmi, aged about 15 years before this Court and hand over the custody to the petitioner.

For Petitioner : Mr.R.Venkatesan

For Respondents : Mr.S.Ravi

Standing Counsel for Tamil Nadu Government  
for r1 & R2

**O R D E R**

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

This habeas corpus petition has been filed for a direction to the 1<sup>st</sup> and 2<sup>nd</sup> respondents to produce the petitioner's minor daughter namely, Rajalakshmi, aged about 15 years before this Court and hand over her custody to the petitioner.

2.Heard Mr.R.Venkatesan, learned counsel appearing for the petitioner and Mr.S.Ravi, learned Standing Counsel appearing for the respondents 1 and 2.

3.When the matter is taken up for hearing today, the petitioner as well as the detainee appeared before this Court through video conferencing from the Public Prosecutor's Office. On enquiry, the detainee would state that the third respondent is her neighbour and they had love affair. She further stated that on her own volition, she left her parental home and married the third respondent on



18.02.2021 and thereafter, both stayed at Karnataka till the third respondent was secured viz., on 11.07.2021 and now she wants to go with her father, the petitioner herein, who has also accepted the same.

4.The learned Standing Counsel appearing for the State would submit that the third respondent was secured and also remanded to the judicial custody by the police and the case was now altered into POCSO Act.

5.Recording the statement of the detinue, this habeas corpus petition is closed

Sd/-

Assistant Registrar (CSII)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

skn

**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.

To

1.The Superintendent of Police,  
Pudukkottai & District.

2.The Sub-Inspector of Police,  
Panayapatti Police Station,  
Pudukkottai District.

3.The Standing Counsel for Tamil Nadu Government,  
Madurai Bench of Madras High Court,  
Madurai.

+1 CC to M/s.R.VENKATESHAN, Advocate ( SR-22471[F] dated 14/07/2021 )

H.C.P. (MD) No.345 of 2021  
12.07.2021

ES (CO)

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