



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

and

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

H.C.P. (MD) No.953 of 2021

Manikandan

... Petitioner/Father of the detenue

-vs-

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

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

3. Maharajan

4. Arumugam @ Kurall Arumugam

5. Paramasivan

6. Suresh

7. Nambi

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus directing the respondents 1 and 2 to produce the body or person of the detenue namely Pavithra, aged about 16 years, who is the daughter of the Petitioner before this court and hand over the detenue to the custody of the Petitioner.

For Petitioner : Mr.M.S.Jeyakarthik

For Respondents : Mr.S.Ravi,
1 and 2 Standing Counsel for the State

O R D E R

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

The prayer in the Habeas Corpus Petition is to direct the respondents 1 and 2 to produce the Petitioner's daughter namely, Pavithra, aged about 16 years before this Court and hand over the custody to the Petitioner.

2.Heard the learned counsel appearing on either side and perused the materials placed before this Court.



3. When the Habeas Corpus petition is listed for admission today, the detinue was produced by the second respondent. She appeared before this Court along with her parents. The learned Standing Counsel for the State appearing for the respondents 1 and 2, would submit that based on the complaint given by the Petitioner, originally, the case was registered under the caption 'girl missing' and after securing the third respondent, the case is altered under the provisions of POCSO Act. It is further submitted that the third respondent has been remanded to judicial custody. On enquiry, the detinue would state that she is willing to go with her parents.

4. In the light of the above facts and the statement of the detinue, we are of the view that no further adjudication is required in this Habeas Corpus Petition and accordingly, the same stands closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

vsn

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,
Tirunelveli District, Tirunelveli.

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

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

+1 CC to M/s.M.S.JEYAKARTHIK, Advocate (SR-21604[F] dated 08/07/2021)

H.C.P. (MD) No.953 of 2021

07.07.2021

RK (14.07.2021) 2P 5C