



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM
and
THE HONOURABLE MR.JUSTICE B.PUGALENDHI

H.C.P. (MD) No.1028 of 2021

S.Manikandan ... Petitioner/Brother of the detenue

-VS-

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

2.The Deputy Superintendent of Police,
Thanjavur District,
Thanjavur.

3.The Inspector of Police,
All Women Police Station,
Vallam,
Thanjavur District.

4.Palraj ... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus directing the respondents 1 and 3 to produce the person or body of the Petitioner's minor sister namely Vijaya, daughter of Late.Subramanian, aged about 15 years before this Court and hand over her custody to the Petitioner.

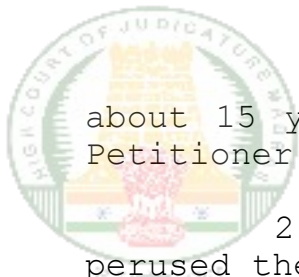
For Petitioner : Mr.R.Maheswaran

For Respondents : Mr.S.Ravi
1 to 3 Standing Counsel for the State

O R D E R

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

This habeas corpus petition has been filed seeking for a direction to the respondents 1 and 3 to produce the Petitioner's minor sister namely, Vijaya, daughter of Late.Subramanian, aged



about 15 years before this Court and hand over her custody to the Petitioner.

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

WEB COPY

3.The learned counsel for the Petitioner would state that the detainee was abducted by the fourth respondent, for which, a case has already been registered under the provisions of the POCSO Act and the same is charge-sheeted and it is pending in S.C.No.38 of 2020 While-so, the fourth respondent has again kidnapped the detainee on 14.07.2021.

4.Mr.S.Ravi, learned Standing Counsel appearing for the respondents 1 to 3 would state that the detainee was secured by the third respondent and now she is at Sathya Pathukappu Illam, Thanjavur. It is also stated that a case in Crime No.11 of 2021 was registered against the fourth respondent under Sections 366(A), 506 (i) and 195(A) of IPC and now, he was remanded to judicial custody. It is also stated that the detainee will be produced before the Doctor for medical examination.

5.In the light of the above submission, we are of the view that nothing survives for adjudication in this Habeas Corpus Petition and accordingly, the same stands dismissed.

Sd/-

Assistant Registrar(CO)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

vsn

Note :

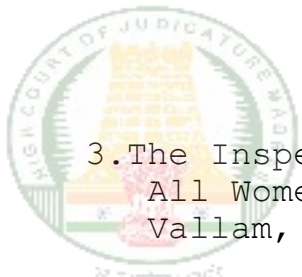
In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To:

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

2.The Deputy Superintendent of Police,
Thanjavur District, Thanjavur.

<https://hcservices.ecourts.gov.in/hcservices/>



3.The Inspector of Police,
All Women Police Station,
Vallam, Thanjavur District.

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

ORDER MADE IN
H.C.P. (MD) No.1028 of 2021
26.07.2021

LS (CO)
TR(02.08.2021) 3P 5C