



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.11.2021

CORAM:

**THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN
and
THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN**

H.C.P. (MD) No.1376 of 2021

Ravichandran ... Petitioner/Father of the detenu
Vs.

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

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

3.The Inspector of Police,
Veerapandi Police Station,
Tirupur.

... Respondents

PRAYER: Habeas Corpus Petition is 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 person or body of the petitioner's minor daughter, the detenu namely Parameshwari, D/o.Ravichandran, aged about 17 years, before this Court and hand over to the petitioner.

For Petitioner : Mr.S.Poornachandran

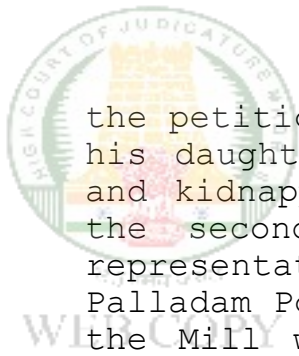
For Respondents : Mr.S.Ravi
Additional Public Prosecutor

O R D E R

[Order of the Court was made by DR.G.JAYACHANDRAN,J.]

This Habeas Corpus Petition has been filed by the father being aggrieved by his minor daughter missing from his custody with effect from 13.03.2021.

2. The case of the petitioner is that his minor daughter went for a job in a Mill during the month of January 2021. But, the last contact is in the month of March 2021. Sensing danger to her life,



the petitioner sent one of his relative Boominathan to enquire about his daughter and came to know that his daughter has been deceived and kidnapped somewhere by unknown persons. The complaint given to the second respondent police was not registered and hence, a representation was sent to the authorities on 06.09.2021. The Palladam Police Station, which has the territorial jurisdiction over the Mill where the minor girl was working, registered a case in Crime No.1658 of 2021 and took up the investigation. They found that the girl along with one Gulkesk were living as husband and wife at Bavagada, Karnataka State. The further investigation reveals that the date of birth of the girl is 16.10.2003 and on the date of missing ie., on 13.03.2021, she was a minor. The said Gulkesk was remanded to judicial custody before Juvenile Justice Board, Tirupur for the alleged offences under Section 5(1), (6) of POCSO Act, Section 366 of I.P.C., and Section 9 of Child Marriage Act.

3. The minor girl has been secured and produced before this Court along with her father, the petitioner herein. This Court enquired the girl and the father. It appears that the girl had affair with the boy Gulkesk and married him and living as husband and wife in Karnataka State. Pursuant to the complaint given by the father, the petitioner herein, the police arrested the boy, who is a minor, as per his Aadhar Card. However, the girl say that he is a major and she has expressed her wish to be with her father, till the said Gulkesk has attains majority.

4. Recording the above said statements, this Habeas Corpus Petition is closed.

Sd/-

Assistant Registrar(CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

akv

To

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

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

3.The Inspector of Police,
Veerapandi Police Station,



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

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ORDER MADE IN
H.C.P. (MD) No.1376 of 2021
08.11.2021

(CO)
TR/pm (18.11.2021) 3P 5C