



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.03.2021

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

and

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

H.C.P. (MD) No.1216 of 2020

WEB COPY

Karuppiah

... Petitioner

-vs-

1.The Superintendent of Police,
Tenkasi District.

2.The Inspector of Police,
Ayikudi Police Station,
Tenkasi District.

3.Muthuraj

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus, directing the respondents to produce the body or person of the detenu viz., petitioner's minor daughter namely Keerthi Shanthi, D/o.Karuppiah, aged about 17 years and hand over the custody of the detenu with the petitioner.

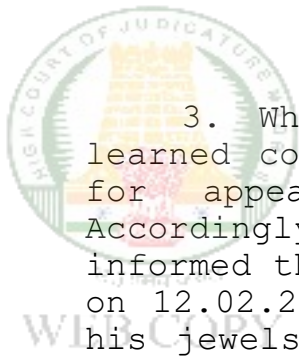
For Petitioner	:	Mr.D.Venkatesh
For R1 & R2	:	Mr.K.Dinesh Babu
		Additional Public Prosecutor
For R3	:	Mr.V.Angusamy

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 respondents 1 & 2 to produce the petitioner's daughter, namely, Keerthi Shanthi, aged about 17 years before this Court and hand over her custody to the petitioner.

2.The petitioner is a retired Veterinary Doctor, aged about 72 years. It appears that the detenu is his adopted daughter. In the month of January, 2020, the detenu eloped with one Muthuraj, the third respondent herein, for which, a case was registered in Cr.No.15 of 2020 under 'girl missing' and thereafter, the detenu was secured and the section was altered into Section 376 of IPC and Section 6 r/w 5(1) of POCSO Act and the third respondent was remanded to judicial custody. It is seen that again she was missing from 06.10.2020 and hence, this habeas corpus petition has been filed.



3. When the matter was listed on 11.02.2021 Mr.V.Angusamy, learned counsel, undertook to file vakalat for R3 and sought time for appearance of the detinue and the third respondent. Accordingly, they appeared before this Court on 15.02.2021 and they informed that their marriage was performed at Siva Temple, Uthankudi on 12.02.2021. When the petitioner pleaded before this Court that his jewels and cash were taken away illegally by the detinue, we directed the first respondent to look into the matter and take action in accordance with law.

4. The first respondent has filed a status report, dated 23.03.2021 stating that the case in Cr.No.22 of 2021, which was originally registered under ' ' Girl missing', has now been altered into 379 of IPC and the accused were arrested and produced before the concerned Court and remanded to judicial custody. It appears that the case is under investigation.

5. In the light of the above fact, we are of the opinion that no further adjudication is necessary in this habeas corpus petition and hence, this petition is closed. No costs.

Sd/-

Assistant Registrar (CS-I)

// 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.

To

- 1.The Superintendent of Police,
Tenkasi District.
- 2.The Inspector of Police,
Ayikudi Police Station,
Tenkasi District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



Copy to

1.The Director General of Police,
Chennai.

2.The Deputy Inspector General of Police,
Tirunelveli

+1 CC to M/s.V.ANGUSAMY, Advocate (SR-1000[I] dated 15/02/2021)
H.C.P. (MD) No.1216 of 2020
26.03.2021

KUN (CO)
KB (21.04.2021) 3P 7C