



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

and

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

H.C.P. (MD) No.1651 of 2021

Govindammal

... Petitioner /

Mother of the Detenu

Vs.

1.The Inspector of Police,
Tirunelveli Town Police Station,
Tirunelveli,
Tirunelveli District.

2.The Commissioner of Police,
Commissioner of Police Office,
Tirunelveli Town,
Tirunelveli District.

3.Deepak

... Respondents

PRAYER: Habeas Corpus Petition filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus, to direct the first respondent to produce the body or person of the petitioner's daughter, namely, S.G.Karthika, aged 16 years, who has been illegally detained by the third respondent herein before this Court and hand over the custody to the petitioner.

For Petitioner : Mr.R.Sundar

For R1 & R2 : Mr.S.Ravi

Additional Public Prosecutor

O R D E R

S.VAIDYANATHAN, J.

And

DR.G.JAYACHANDRAN, J.

This Habeas Corpus Petition has been filed by the mother of the detenu. The case of the petitioner is that her daughter, aged about 16 years is missing. According to the petitioner, the minor has been kidnapped by the third respondent and a complaint has already been made, which has been registered in Crime No.402 of 2021 under the head 'girl missing'.



2. When the matter is taken up for hearing today, Mr.S.Ravi, learned Additional Public Prosecutor would submit that the girl was secured and she has been kept in Saranayalam and she was also produced before the Magistrate. He would further submit that the respondent police secured the third respondent on 11.11.2021 and a case has been registered under Section 366 of IPC and Sections 5 (1) and 6 of the POCSO Act against the third respondent and the case is pending before the Magistrate.

3. Taking note of the fact that the girl is secured and alive and the matter is pending before the jurisdictional Court, this Habeas Corpus Petition is dismissed and it is for the parties to work out their remedy before the appropriate forum in accordance with law.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

PJL

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 Inspector of Police,
Tirunelveli Town Police Station,
Tirunelveli, Tirunelveli District.

2. The Commissioner of Police,
Commissioner of Police Office,
Tirunelveli Town, Tirunelveli District.

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

**H.C.P. (MD) No.1651 of 2021
16.11.2021**

RD (26.11.2021) 2P 4C