



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.12.2021

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

and

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

H.C.P.(MD)No.1770 of 2021

Amutha

... Petitioner /

Mother of the Detenue

Vs.

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

2.The State rep. by
The Inspector of Police,
Pavoorchathiram Police Station,
Pavoorchathiram,
Tenkasi District.

3.Arunkumar

... Respondents

PRAYER: Habeas Corpus Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus, to direct the respondents more particularly the 2nd respondent to secure the petitioner's minor daughter, namely, Geetha, D/o.Arumuga Nainar, Female, aged about 16 years, residing at Door No.133-3, Sami Nadar Street, Keelapavoor, Alangulam Taluk, Tenkasi District and subsequently produce her before this Court and hand over the custody to the petitioner forthwith.

For Petitioner : Mr.S.Palani Velayutham

For R1 & R2 : Mr.S.Ravi

Additional Public Prosecutor

O R D E R

S.VAIDYANATHAN, J.

And

DR.G.JAYACHANDRAN, J.

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

The mother of the minor girl is before this Court alleging that her minor girl went missing since 14.11.2021. She came to know that the third respondent has taken her away against her will. Since her complaint to the second respondent police did not yield any result, she has filed the writ of habeas corpus petition to produce the



2. The second respondent, after registration of the 'girl missing' case in Crime No.459 of 2021 on 15.11.2021, on pursuit of placing the girl. Meanwhile, the minor girl herself came back to the petitioner's home and the petitioner had produced the girl to the police. On enquiry, found that she has eloped with the third respondent to Namakkal and knowing that the police is searching her, she has come back to her parents house. Thereafter, the police has altered the case from 'girl missing' to abduction of minor girl under Section 5(1) r/w 6 of POCSO Act against the third respondent, who is at large till date.

3.The girl, after being secured been admitted in 'Saranalayam Home' at Tirunelveli and the police taking steps to record her statement before the Magistrate. Meanwhile, the medical examination of the girl is already been completed.

4.In view of the above fact, this Habeas Corpus Petition is closed since the girl has been secured alive and presently not in illegal custody.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2022

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

**H.C.P. (MD)No.1770 of 2021
21.12.2021**

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