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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.04.2022

Coram

THE HONOURABLE MR. JUSTICE P.N.PRAKASH
and
THE HONOURABLE MR. JUSTICE A.A.NAKKIRAN

H.C.P.No.278 of 2022

E.Nagappa
S/o.Ellappa

.. Petitioner

Vs.

1. The Superintendent of Police,
Krishnagiri District,
Krishnagiri.
2. The Inspector of Police,
All Women Police Station,
Hosur, Krishnagiri District.
3. Adarsh
S/o.Venkataramappa

.. Respondents

Habeas Corpus Petition filed under Article 226 of the Constitution of India praying to direct the second respondent to produce the petitioner's daughter, namely, Bhavani d/o.E.Nagappa, aged about 14 years, from the illegal custody of the third respondent before this Court and handover the minor girl to the petitioner herein.

For Petitioner : Mr.R.Jayaprakash

For Respondents : Mr.R.Muniyapparaj
Additional Public Prosecutor [R1 & R2]

ORDER

[Order of the Court was made by P.N.PRAKASH, J]

This petition has been filed seeking a direction to the second respondent to produce the petitioner's daughter, namely, Bhavani d/o.E.Nagappa, aged about 14 years, from the illegal custody of the third respondent before this Court and handover the minor girl to the petitioner herein.

2. On 18.02.2022, we passed the following order:



"It is the case of the petitioner that his daughter Bhavani, aged about 14 years, went missing from 04.01.2022 and that she is in the illegal detention of the third respondent herein.

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2. On instructions, the learned Additional Public Prosecutor submitted that on a complaint given by the petitioner, a case in Hosur All Women Police Station Crime No.1 of 2022 was registered on 05.01.2022 under Sections 363 and 366 IPC against Adarsh, third respondent.

3. In such view of the matter, this Court issues a direction to the Assistant Superintendent of Police, Hosur Sub-Division, to supervise the investigation in Hosur All Women Police Station Crime No.1 of 2022 and keep the petitioner informed of the developments, if any. As and when the detainee Bhavani, aged about 14 years, is secured, she shall be produced before the Judicial Magistrate Court No.II, Hosur, under intimation to the petitioner. On such production, the learned Magistrate shall pass appropriate orders with regard to custody in accordance with law.

Post the matter on 18.03.2022."

3. Today, Ms.J.Sumathi, HC-1143, All Women Police Station, Hosur, is present.

4. On instructions, learned Additional Public Prosecutor submitted that the detainee Bhavani was secured by the police on 31.03.2022 in Hosur All Women Police Station Crime No.1 of 2022 and was produced before the Judicial Magistrate II, Hosur and thereafter, the detainee was produced before the Child Welfare Committee, Krishnagiri, who, in turn, handed over the detainee to her parents.

In the aforesaid circumstances, nothing survives for further adjudication in the present petition. Accordingly, this Habeas Corpus Petition is closed.

Sd/-
Assistant Registrar (CS-IX)

//True Copy//

Sub Assistant Registrar

gm



To

1. The Superintendent of Police,
Krishnagiri District,
Krishnagiri.
2. The Inspector of Police,
All Women Police Station,
Hosur, Krishnagiri District.
3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.R.Jayaprakash, Advocate, S.R.No.26038

H.C.P.No.278 of 2022

MT (CO)
SU (28/04/2022)