



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.04.2022

Coram

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

H.C.P.No.391 of 2022

S.Velusamy
S/o.Subbaiya Devar

.. Petitioner

Vs.

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

2. The Inspector of Police,
Chithode Police Station,
Erode District.
Crime No.69/2022

3. P.Kumaravel
S/o.Periyasamy

4. K.Sundari
W/o.Kaliappan

.. Respondents

Habeas Corpus Petition filed under Article 226 of the Constitution of India praying to direct the second respondent to produce the detenu [petitioner's minor daughter] namely V.Rajeswari D/o.Velusamy, aged about 16 years, from the illegal custody of the respondents 3rd and 4th before this Court and set her at liberty and hand over to the petitioner.

For Petitioner : Mr.C.S.Saravanan

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 detenu V.Rajeswari d/o.Velusamy, aged about 16 years, from the illegal custody of



the respondents 3 and 4 before this Court and set her at liberty and hand over to the petitioner.

2. On 11.03.2022, we passed the following order:

WEB COPY

"It is the case of the petitioner that his daughter Rajeswari, aged about 16 years, went missing from 17.01.2022 and that the police are not taking effective steps to secure her.

2. Today, M.Periannan (Mobile No.94981 74842), Special Sub-Inspector of Police, Chithode Police Station, Erode District, is present.

3. On instructions, the learned Additional Public Prosecutor submitted that on a complaint given by the petitioner, a case in Chithode Police Station Crime No.69 of 2022 was registered on 26.01.2022 for 'girl missing' and during the course of investigation, it came to light that the detainee Rajeswari was in love with one Karthik and has eloped with him.

4. In such view of the matter, we direct the Deputy Superintendent of Police, Bhavani Sub-Division, Erode District, to supervise the investigation in Chithode Police Station Crime No.69 of 2022 and keep the petitioner informed of the developments, if any. As and when the detainee Rajeswari, aged about 16 years, is secured, she shall be produced before the Additional Mahila Court (Magisterial Level), Erode, under intimation to the petitioner. On such production, the learned Magistrate shall pass appropriate orders with regard to custody in accordance with law.

Private notice to the respondents 3 and 4 returnable by 08.04.2022. Post the matter on 08.04.2022."

3. Today, Mr.J.Udayakumar, Special Sub-Inspector of Police, Chithode Police Station, is present.

4. On instructions, learned Additional Public Prosecutor submitted that the alleged detainee Rajeswari was secured by the police on 28.03.2022 and was produced before the Additional Mahila Court [Magisterial Level], Erode and thereafter, the detainee was kept in Annai Sathya Women and Children Home, Erode and on 07.04.2022, the detainee was handed over to her parents. Learned counsel for the petitioner also confirmed the same.



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

WEB COPY

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

gm

To

1. The Superintendent of Police,
Erode, Erode District.
2. The Inspector of Police,
Chithode Police Station, Erode District.
3. The Public Prosecutor,
High Court, Madras.

Copy to

1. The Additional Mahila Judge,
(Magisterial Level), Erode,
2. Deputy Superintendent of Police,
Bhavani Sub-Division, Erode District

H.C.P.No.391 of 2022

RP(CO)
CT 22/04/2022