



WEB COPY



H.C.P.No.426 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.11.2022

Coram

**THE HONOURABLE MR. JUSTICE P.N.PRAKASH
and
THE HONOURABLE MR. JUSTICE RMT. TEEKAA RAMAN**

H.C.P.No.426 of 2022

K.Mathuravel
S/o.Kandasamy

... Petitioner

Vs.

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

2.The Deputy Superintendent of Police,
Panruti, Cuddalore District.

3.The Inspector of Police,
Naduveerapattu Police Station,
Cuddalore District.

4.T.Elavarasan
S/o.Thangarasu

... Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus directing the third respondent to produce the petitioner's minor daughter Abitha D/o.Mathuravel, aged about 17 years,



H.C.P.No.426 of 2022

before this Court from the illegal custody of the fourth respondent and handover to the petitioner.

For Petitioner : Mr.K.R.Samratt

For Respondents : Mr.R.Muniyapparaj
Additional Public Prosecutor [R1 to R3]

ORDER

[Made by **P.N.PRAKASH, J.**]

This petition has been filed seeking a direction to the third respondent to produce the petitioner's minor daughter Abitha D/o.Mathuravel, aged about 17 years, before this Court, from the illegal custody of the fourth respondent and handover to the petitioner.

2. On 18.03.2022, we passed the following order:

"It is the case of the petitioner that his daughter Abitha, aged about 17 years, went missing from 26.02.2022 and that the police are not taking effective steps to secure her.

2. Today V.Perumal (Mobile No.97887 68511), Special Sub-Inspector of Police, Naduveerapattu Police Station, Cuddalore District, is present.

3. On instructions, the learned Additional Public Prosecutor submitted that on a complaint given by the petitioner, a case in Naduveerapattu Police Station Crime No.159 of 2022 was registered



WEB COPY



H.C.P.No.426 of 2022

under Section 366-A IPC on 27.02.2022 and the investigation conducted so far revealed that the detainee Abitha was in love with Elavarasan, S/o.Thangarasu, fourth respondent herein and has eloped with him.

4. In such view of the matter, we direct the Deputy Superintendent of Police, Panruti Sub-Division, Cuddalore District, to supervise the investigation in Naduveerapattu Police Station Crime No.159 of 2022 and keep the petitioner informed of the developments, if any. As and when the detainee Abitha, aged about 17 years, is secured, she shall be produced before the Additional Mahila Court, (Magisterial Level), Cuddalore, 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 18.04.2022."

3. Today, Mr.K.Baskaran, Special Sub-Inspector of Police, Naduveerapattu Police Station [Mobile No.94896 30739], is present.

4. When the matter was taken up for hearing, the learned Additional Public Prosecutor submitted that the alleged detenu was secured by the police and was restored to the petitioner through the Child Welfare Committee on 11.07.2022.

P.N.PRAKASH, J.



WEB COPY



H.C.P.No.426 of 2022

and
RMT. TEEKAA RAMAN, J.

gm

Recording the same, this Habeas Corpus Petition is closed.

[PNP, J.] [TKR, J.]
07.11.2022

Index: Yes/No

gm

To

- 1.The Superintendent of Police,
Cuddalore,
Cuddalore District.
- 2.The Deputy Superintendent of Police,
Panruti, Cuddalore District.
- 3.The Inspector of Police,
Naduveerapattu Police Station,
Cuddalore District.
- 4.The Public Prosecutor,
High Court, Madras.

H.C.P.No.426 of 2022