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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.04.2022

Coram

The Honourable Mr. Justice P.N.PRAKASH
and
The Honourable Mr. Justice A.A.NAKKIRAN

H.C.P.No.627 of 2022

Kalyanasundaram .. Petitioner/ Father of the Detenue
Vs.

1.The Commissioner of Police,
Chennai District.

2.State represented by
The Inspector of Police,
Nolambur Police Station,
Anna Nagar
Chennai District.

.. Respondents

Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus directing the 2nd respondent to produce the petitioner's daughter viz. K.Induja, aged about 17 years, D/o.A.Kalyanasundaram, before this Court and hand over to the petitioner.

For Petitioner : Mr.R.C.Vigneswaran

For Respondents : Mr.M.Babu Muthumeeran
Addl. Public Prosecutor

ORDER

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

This habeas corpus petition has been filed seeking a direction to the 2nd respondent to produce the petitioner's daughter viz. K.Induja, aged about 17 years, D/o.A.Kalyanasundaram, before this Court and hand over to the petitioner.

2. It is the case of the petitioner that her daughter Induja, aged about 17 years, went missing from 08.08.2021 and that the police are not taking effective steps to secure her.



3. Today, E.Raj Prabhu (Mobile No.89257 57737), Sub-Inspector of Police, V-7, Nolambur Police Station, Chennai, is present.

4. On instructions, the learned Additional Public Prosecutor submitted that on a complaint given by the petitioner, a case in Nolambur Police Station Crime No.795 of 2021 has been registered on 08.08.2021 under Section 366-A IPC and during the course of investigation, it came to light that Induja was in love with one Babu and has eloped with him.

5. In such view of the matter, it cannot be stated that Induja is in the illegal custody of the respondents herein, for the issuance of a writ of habeas corpus.

6. Be that as it may, we direct the Assistant Commissioner of Police, Thirumangalam Sub-Division, Chennai District, to supervise the investigation in Nolambur Police Station Crime No.795 of 2021 and keep the petitioner informed of the developments, if any. As and when the detainee Induja, aged about 17 years, is secured, she shall be produced before the Judicial Magistrate Court, Ambattur, Chennai, under intimation to the petitioner. On such production, the learned Magistrate shall pass appropriate orders with regard to custody in accordance with law.

With the above directions, this habeas corpus petition stands closed.

Sd/-
Assistant Registrar(CS-IV)

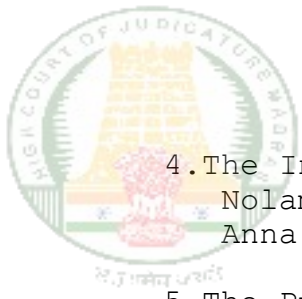
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Sub Assistant Registrar

nsd

To

- 1.The Judicial Magistrate,
Ambattur, Chennai District.
- 2.The Commissioner of Police,
Chennai District.
- 3.The Assistant Commissioner of Police,
Thirumangalam Sub-Division,
Chennai District.



4.The Inspector of Police,
Nolambur Police Station,
Anna Nagar, Chennai District.

5.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.R.G.Vigneswaran, Advocate, S.R.No.27082

H.C.P.No.627 of 2022

EV(CO)
SB(05/05/2022)