



WEB COPY



Order dated : 11.10.2022

HCP No.608 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.10.2022

Coram

THE HONOURABLE MR. JUSTICE P.N.PRAKASH

and

THE HONOURABLE MR. JUSTICE RMT. TEEKAA RAMAN

H.C.P.No.608 of 2022

M.Subramani
S/o.Munusamy

... Petitioner

Vs.

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

2.The Inspector of Police,
D-4, R.K.Pettai Police Station,
Thiruvallur District.
Crime No.82 of 2022

3.The Inspector of Police,
Uthukottai Police Station,
Thiruvallur District.

... Respondents

[R3 *suo motu* impleaded as per order in
H.C.P.No.608 of 2022 dated 20.04.2022]

Writ Petition filed under Article 226 of the Constitution of India to
issue a writ of Habeas Corpus directing the respondents to cause production



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of the petitioner's minor daughter, namely, S.Durga Devi, aged about 16 years, before this Court and hand over custody to the petitioner.

For Petitioner : Mr.A.Vijayasankar
For Respondents : Mr.R.Muniyapparaj
Additional Public Prosecutor

ORDER

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

This petition has been filed seeking a direction to the respondents to cause production of the petitioner's minor daughter, namely, S.Durga Devi, aged about 16 years, before this Court and hand over custody to the petitioner.

2. On 20.04.2022, we passed the following order:

"It is the case of the petitioner that his daughter Durga Devi, aged about 16 years, went missing from 18.03.2022 and that the police are not taking effective steps to secure her.

2. Today, V.Muralichandar (Mobile No.73734 31046), Sub-Inspector of Police, Uthukottai Police Station, Thiruvallur District, is present.



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3. On instructions, the learned Additional Public Prosecutor submitted that on a complaint given by the petitioner, a case in Uthukottai Police Station Crime No.82 of 2022 has been registered for 'girl missing' on 18.03.2022 and the investigation conducted so far revealed that the detenue Durga Devi was in love with one Ajith Kumar and has eloped with him. He also submitted that the petitioner has not impleaded the Inspector of Police, Uthukottai Police Station and has instead impleaded the Inspector of Police, D-4, R.K.Pettai Police Station.

4. Therefore, we *suo motu* implead the Inspector of Police, Uthukottai Police Station, Thiruvallur District, as third respondent in this petition.

5. In such view of the matter, we direct the Deputy Superintendent of Police, Uthukottai Sub-Division, Thiruvallur District, to supervise the investigation in Uthukottai Police Station Crime No.82 of 2022 and keep the petitioner informed of the developments, if any. As and when the detenue Durga Devi, aged about 16 years, is secured, she shall be produced before the Judicial Magistrate Court No.I, Uthukottai, Thiruvallur District, 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 20.06.2022."

3. Today, Mr.S.Varatharajan, Sub-Inspector of Police, Uthukottai Police Station [Mobile No.94981 10103], is present.



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4. On instructions, learned Additional Public Prosecutor submitted that pursuant to the order dated 20.04.2022, Durga Devi was secured and was produced before the learned Judicial Magistrate I, Uthukottai, on 01.06.2022 and thereafter, she was handed over to the petitioner.

Recording the aforesaid submission, this Habeas Corpus Petition is closed.

[PNP, J.] [TKR, J.]
11.10.2022

Index: Yes/No
gm

To

1. The Superintendent of Police,
Thiruvallur District, Thiruvallur.
2. The Inspector of Police,
D-4, R.K.Pettai Police Station,
Thiruvallur District.
Crime No.82 of 2022
3. The Inspector of Police,
Uthukottai Police Station,
Thiruvallur District.
4. The Public Prosecutor,
High Court, Madras.

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