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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.03.2022

Coram

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

H.C.P.No.1216 of 2021

A.Shanmugam
S/o.Arakutty

.. Petitioner/
Father of the Detenue

Vs.

1. The Commissioner of Police,
Coimbatore City,
Coimbatore.
2. The Inspector of Police,
Saravanampatti Police Station,
Coimbatore District.

.. Respondents

Habeas Corpus Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of habeas corpus directing the respondents to produce the body of the petitioner's daughter Lakshana d/o.A.Shanmugam, aged about 16 years, before this Court and set her at liberty.

For Petitioner : Mr.G.Nirmal Krishnan

For Respondents: Mr.R.Muniyapparaj
Additional Public Prosecutor

ORDER

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

This petition has been filed seeking a direction to the respondents to produce the petitioner's daughter Lakshana d/o.A.Shanmugam, aged about 16 years, before this Court and set her at liberty.

2. On 12.08.2021, we passed the following order:

''It is the case of the petitioner that his daughter Lakshana, aged about 16 years, went missing from 30.07.2021 and that the police are not taking effective steps to secure her.



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2. On instructions, the learned Government Advocate (Crl.Side) submitted that on a complaint given by the petitioner, a case in Saravanampatti Police Station Crime No.706 of 2021 was registered on 30.07.2021 for 'girl missing' and investigation is in progress.

3. In such view of the matter, this Court issues a direction to the Assistant Commissioner of Police, Coimbatore City, to monitor the investigation in Saravanampatti Police Station Crime No.706 of 2021 and keep the petitioner informed of the developments, if any. As and when the detenu Lakshana, aged about 16 years, is secured, she shall be produced before the Judicial Magistrate Court No.II, Coimbatore, 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 09.09.2021.''

3. Today, when the matter was taken up for hearing, learned counsel for the petitioner and the learned Additional Public Prosecutor submitted that the detenu Lakshana was kidnapped by one Manimaran, who is a yoga teacher. They also submitted that Manimaran was already married twice earlier and he had not only kidnapped Lakshana, but, also another girl, by name Nandhini, in connection with which a case in Suchindram P.S. Crime No.567/2021 has been registered and the aggrieved, in that case, has filed H.C.P. (MD) No.34 of 2022 in the Madurai Bench of this Court. However, the Inspector of Police, Saravanampatti Police Station, traced Manimaran in Tirupathi, arrested him in Saravanampatti P.S.Crime No.706 of 2021 for offences u/s.366 IPC and sections 5 and 6 of the POCSO Act, secured both Lakshana and Nandhini and restored them to their parents.

4. We place on record our appreciation to the Inspector of Police, Saravanampatti Police Station.

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

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

gm



To

1. The Commissioner of Police,
Coimbatore City, Coimbatore.
2. The Inspector of Police,
Saravanampatti Police Station,
Coimbatore District.
3. The Public Prosecutor,
High Court, Madras.

H.C.P.No.1216 of 2021

SR-II(CO)
CT 01/04/2022