



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.03.2022

Coram

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

H.C.P.No.1594 of 2021

V.Ganesan

.. Petitioner

Vs.

1. The Superintendent of Police,
Namakkal.
2. The Sub Inspector of Police,
Namakkal Police Station,
Namakkal.
3. Arun

.. Respondents

Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus directing the 1st and 2nd respondents to produce the body of the petitioner's daughter minor Anusiya, aged 17 years, before this court and handover her custody to the petitioner.

For Petitioner : Mr.S.Muthukrishnan

For RR 1 and 2 : Mr.R.Muniyapparaj,
Addl. Public Prosecutor

ORDER

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

This habeas corpus petition has been filed seeking a direction to the 1st and 2nd respondents to produce the body of the petitioner's daughter minor Anusiya, aged 17 years, before this court and handover her custody to the petitioner.

2. On 06.10.2021, we passed the following order:

"It is the case of the petitioner that his daughter Anusiya, aged about 17 years, went missing from 05.09.2021 and that the police are not taking effective steps to secure her.

2. On instructions, the Additional Public



WEB COPY

Prosecutor submitted that on a complaint given by the petitioner, a case in Namakkal Police Station Crime No.1609 of 2021 was registered on 06.09.2021 under Section 366 IPC against Arun, third respondent herein and investigation is in progress.

3. In such view of the matter, we direct the Deputy Superintendent of Police, Namakkal Sub-Division, to supervise the investigation in Namakkal Police Station Crime No.1609 of 2021 and keep the petitioner informed of the developments, if any. As and when the detainee Anusiya, aged about 17 years, is secured, she shall be produced before the Judicial Magistrate Court No.I, Namakkal, 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 08.11.2021."

3. Today, K.Willberright (Mobile No.9498169243), Special Sub-Inspector of Police, Namakkal Police Station, Namakkal District, is present.

4. On instructions, the learned Additional Public Prosecutor submitted that Anusiya was secured by the police and produced before the learned Judicial Magistrate No.I, Namakkal, on 25.02.2022 and after enquiring with her, she was found to be pregnant and she stated that she would not go with the petitioner, but, go with the parents of Arun, third respondent herein, though Arun was remanded in judicial custody on 25.02.2022. Accordingly, Anusiya was sent with the parents of Arun.

Recording the same, this habeas corpus petition stands closed.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

nsd

To

1. The Superintendent of Police,
Namakkal.



2. The Sub Inspector of Police,
Namakkal Police Station,
Namakkal.

3. The Public Prosecutor,
High Court, Madras.

4. The Juicial Magistrate No.I,
Namakkal.

5. The Deputy Superintendent of Police,
Namakkal Sub Division.

H.C.P.No.1594 of 2021

PM(CO)
CT 17/03/2022