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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.01.2022

Coram

THE HONOURABLE MR. JUSTICE P.N.PRAKASH
and
THE HONOURABLE MS. JUSTICE R.N.MANJULA

H.C.P.No.1593 of 2021

Boopathi
S/o.Rajendran

.. Petitioner

Vs.

State represented by:

1.The Superintendent of Police,
Namakkal District,
Tamil Nadu - 637 003.

2.The Inspector of Police,
Veppadai Police Station,
Namakkal District.
Crime No.294 of 2021

.. Respondents

Habeas Corpus Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus directing the respondents 1 and 2 to secure and produce the petitioner's minor daughter, viz., Nithyasri, aged about 16 years, before this Court and handover her custody to the petitioner.

For Petitioner : Mr.V.Thillai Kumar

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 1 and 2 to secure and produce the petitioner's minor daughter, viz., Nithyasri, aged about 16 years, before this Court and handover her custody to the petitioner.



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2. On 06.10.2021, we passed the following order:

'It is the case of the petitioner that his daughter Nithyashri, aged about 16 years, went missing from 17.09.2021 and thereafter, her whereabouts are not known and it is the grievance of the petitioner that the police are not taking effective steps to secure her.

2. On instructions, the Additional Public Prosecutor submitted that on a complaint given by the petitioner, a case in Veppadai Police Station Crime No.294 of 2021 was registered on 18.09.2021 for 'girl missing' and the preliminary enquiry revealed that the detainee Nithyashri is said to have eloped with one Sathyaraj.

3. In such view of the matter, we direct the Deputy Superintendent of Police, Thiruchengode, to supervise the investigation in Veppadai Police Station Crime No.294 of 2021 and keep the petitioner informed of the developments, if any. As and when the detainee Nithyashri, aged about 16 years, is secured, she shall be produced before the Judicial Magistrate Court, Kumarapalayam, 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, when the matter was taken up for hearing, learned Additional Public Prosecutor submitted that the detainee Nithyasri was secured by the police in Veppadai P.S. Crime No.294 of 2021 and she was produced before the learned Judicial Magistrate, Kumarapalayam, on 10.12.2021 and thereafter, kept in the Home for Girls in Salem. Learned Additional Public Prosecutor further submitted that later, the detainee Nithyasri was handed over to her parents.

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

Sd/-

Assistant Registrar(CS-VII)

// True Copy //

Sub Assistant Registrar



1.The Judicial Magistrate,
Kumarapalayam.

2.The Superintendent of Police,
Namakkal District,
Tamil Nadu - 637 003.

3.The Inspector of Police,
Veppadai Police Station,
Namakkal District.

4.The Public Prosecutor,
High Court, Madras.

H.C.P.No.1593 of 2021

KSM(CO)
CB(20/01/2022)