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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.02.2022

Coram

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

H.C.P.No.1798 of 2021

B.Annamalai
S/o.Balaraman

.. Petitioner

Vs.

1.The State represented by
The Superintendent of Police,
Dharmapuri, Dharmapuri District.

2.The Inspector of Police,
Thoppur Police Station,
Dharmapuri District.

3.Vetry Selvam
S/o.Panneerselvam

.. Respondents

Habeas Corpus Petition filed under Article 226 of the Constitution of India seeking a direction to respondents 1 and 2 to produce the petitioner's minor daughter Kavinaya D/o.Annamalai, aged about 16 years, before this Court and hand over her custody to the petitioner herein.

For Petitioner : Mr.E.Kannadasan

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 respondents 1 and 2 to produce the petitioner's minor daughter Kavinaya D/o.Annamalai, aged about 16 years, before this Court and hand over her custody to the petitioner herein.

2. On 16.11.2021, we passed the following order:

' It is the case of the petitioner that his daughter Kavinaya, aged about 16 years, went missing from 11.10.2021 and that the police are not taking



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effective steps to secure her.

2. On instructions, the learned Additional Public Prosecutor submitted that on a complaint given by the petitioner, a case in Thoppur Police Station Crime No.449 of 2021 was registered on 12.10.2021 under Section 363 IPC against Vetry Selvam, third respondent herein and during the course of investigation, it came to light that the detainee Kavinaya was in love with Vetry Selvam and has eloped with him.

3. In such view of the matter, this Court issues a direction to the Deputy Superintendent of Police, Dharmapuri Sub-Division, to supervise the investigation in Thoppur Police Station Crime No.449 of 2021 and keep the petitioner informed of the developments, if any. As and when the detainee Kavinaya, aged about 16 years, is secured, she shall be produced before the Additional Mahila Court, Dharmapuri 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 14.12.2021. '

3. Today, Mr.Prathab Kumar, Grade I Head Constable, Thoppur Police Station, Dharmapuri, is present before this Court.

4. On instructions, Mr.R.Muniyapparaj, learned Additional Public Prosecutor appearing for the State, submitted that the alleged detainee Kavinaya was secured by the police on 06.02.2022 and was produced before the learned Additional Mahila Court [Magisterial Level], Dharmapuri, who, in turn, has directed her to be kept in Vallallar Home at Kurinji Nagar and thereafter, the detainee was handed over to the petitioner.

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

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar



gm

To

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- 1.The Inspector of Police,
Thoppur Police Station,
Dharmapuri District.
- 2.The Superintendent of Police,
Dharmapuri, Dharmapuri District.
- 3.The Public Prosecutor,
High Court, Madras.

Copy To:

The Additional Mahila Judge,
Dharmapuri District.

+1CC to Mr.E.Kannadasan, Advocate SR.No.11276 (17/03/2022)

H.C.P.No.1798 of 2021

MT (CO)
SB (09/03/2022)