



WEB COPY



HCP No.1815 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.11.2022

Coram

**THE HONOURABLE MR. JUSTICE P.N.PRAKASH
and
THE HONOURABLE MR. JUSTICE RMT. TEEKAA RAMAN**

H.C.P.No.1815 of 2022

Kamaraj
S/o.Thangarasu

... Petitioner

Vs.

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

2.The Inspector of Police,
Pennadam Police Station,
Cuddalore District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus directing the second respondent herein to produce the petitioner's minor daughter, namely, Shanthi, aged about 17 years, before this Court and subsequently, hand over her custody with the petitioner.

For Petitioner : Mr.K.Amirthalingam

For Respondents : Mr.R.Muniyapparaj
Additional Public Prosecutor



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ORDER

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

This petition has been filed seeking a direction to the second respondent herein to produce the petitioner's minor daughter, namely, Shanthi, aged about 17 years, before this Court.

2. On 16.09.2022, we passed the following order:

"It is the case of the petitioner that his daughter Shanthi, aged about 17 years, went missing from 02.09.2022 and that the police are not taking effective steps to secure her.

2. Today, K.Kumar (Mobile No.94981 64297), Inspector of Police, Pennadam Police Station, Cuddalore District, is present.

3. On instructions, the learned Additional Public Prosecutor submitted that on a complaint given by the petitioner, a case in Pennadam Police Station Crime No.513 of 2022 has been registered for 'girl missing' on 02.09.2022 and during the course of investigation, it came to light that Shanthi got acquainted with one Vijay through Instagram, fell in love with him and eloped.

4. In such view of the matter, it cannot be stated that Shanthi is in illegal custody of the respondents herein for the issuance of a writ of habeas corpus. However, since Shanthi is a minor, this Court issues a direction to the Deputy Superintendent of Police, Vridhachalam Sub-Division, Cuddalore District, to supervise the investigation in Crime No.513 of 2022 that is being conducted by the Inspector of Police, Pennadam Police Station and keep the petitioner informed of the developments, if any. As and when the detinue viz.,



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Shanthi, aged about 17 years, is secured, she shall be produced before the Judicial Magistrate Court, Thittakudi, Cuddalore District, under intimation to the petitioner. On such production, the learned Magistrate may pass appropriate orders with regard to the custody in accordance with law.

Post the matter on 20.10.2022."

3. Today, Mr.C.Venu, Special Sub-Inspector of Police, Pennadam Police Station [Mobile No.: 94981 54916], is present.

4. On instructions, learned Additional Public Prosecutor submitted that the detainee Shanthi was secured and produced before the learned Judicial Magistrate, Thittakudi on 20.10.2022 and thereafter, she was handed over to the petitioner.

Recording the same, this Habeas Corpus Petition is closed.

[PNP, J.]

[TKR, J.]

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Index: Yes/No
gm



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P.N.PRAKASH, J.
and
RMT. TEEKAA RAMAN, J.
gm

To

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

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