



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.04.2022

CORAM

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

H.C.P.NO.2044 OF 2021

S.Senthamarai
W/o.Senthil

... Petitioner

Vs.

1. The Superintendent of Police,
Thiruvarur, Thiruvarur District.
2. The Deputy Superintendent of Police,
Nanilam, Thiruvarur District.
3. The Inspector of Police,
Harithwaramangalam Police Station,
Thiruvarur District.
4. Sarath Kumar
S/o.Mathialagan

... Respondents

Habeas Corpus Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus directing the third respondent to produce the petitioner's minor daughter Prithika d/o.Senthil, aged about 17 years, before this Court from the custody of the third respondent and hand over to the petitioner.

For Petitioner : Mr.R.Thamaraiselvan

For Respondents : Mr.R.Muniyapparaj
Additional Public Prosecutor



ORDER

[Made by P.N.PRAKASH, J]

WEB COPY This petition has been filed seeking a direction to the third respondent to produce the petitioner's minor daughter Prithika d/o.Senthil, aged about 17 years, before this Court from the custody of the third respondent and hand over to the petitioner.

2. On 09.12.2021, we passed the following order:

"It is the case of the petitioner that her daughter Prithika, aged about 17 years, went missing from 01.11.2021 and that the police are not taking 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 Harithuvaramangalam Police Station Crime No.530 of 2021 was registered on 08.11.2021 for 'girl missing' and during the course of investigation, it came to light that the detainee Prithika was in love with one Sarath Kumar and has eloped with him.

3. In such view of the matter, this Court issues a direction to the Deputy Superintendent of Police, Nannilam Sub-Division, to supervise the investigation in Harithuvaramangalam Police Station Crime No.530 of 2021 and keep the petitioner informed of the developments, if any. As and when the detainee Prithika, aged about 17 years, is secured, she shall be produced before the District Munsif-cum-Judicial Magistrate Court, Needamangalam, 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 20.01.2022."

3. Today, Mr.V.Mahendra Boopathi, Sub-Inspector of Police, Harithuvaramangalam Police Station, Thiruvarur District, is present.

4. On instructions, learned Additional Public Prosecutor submitted that the detenu Prithika was secured by the police and was produced before the District Munsif-cum-Judicial Magistrate, Needamangalam. Since she expressed her unwillingness to go with



the petitioner, she has been admitted in the St. Theresa's Home, Thiruthuraipoondi.

Recording the aforesaid submission, this Habeas Corpus Petition is closed with liberty to the petitioner to work out his remedy in the manner known to law.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

gm

To

1. The Superintendent of Police,
Thiruvarur, Thiruvarur District.
2. The Deputy Superintendent of Police,
Nanilam, Thiruvarur District.
3. The Inspector of Police,
Harithwaramangalam Police Station,
Thiruvarur District.
4. The Public Prosecutor,
High Court, Madras.
5. The District Munsif-cum-Judicial Magistrate,
Needamangalam.

H.C.P.No.2044 of 2021

NR(CO)
RLP(06/05/2022)