



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.06.2022

Coram

The Honourable Mr. Justice S.VAIDYANATHAN
and
The Honourable Mr. Justice A.D.JAGADISH CHANDIRA

H.C.P.No.2073 of 2021

C.Shanthi

.. Petitioner

Vs.

1.The Inspector of Police,
All Women Police Station,
Tiruchengodu.

2. M.Gopal @ Korak

.. Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus directing the respondents to produce the detainee C.Saranya D/o Chinnathambi, aged about 17 years before this Court and set her at liberty forthwith.

For Petitioner : Mr.P.Vijendran

For Respondents : Mr.E.Raj Thilak
Additional Public Prosecutor

ORDER

This Habeas Corpus petition has been filed seeking to direct the respondents to produce the detainee C.Saranya D/o. Chinnathambi aged about 17 years before this Court and set her at liberty forthwith.

2. It is the case of the petitioner that her daughter Saranya, aged about 17 years, went missing from 01.11.2021 and that the police are not taking effective steps to secure her.



3. When this matter was taken up for hearing on 14.12.2021, the learned Additional Public Prosecutor on instructions submitted that on the complaint given by the Petitioner, a case in All Women Police Station, Thiruchengode in Crime No.28 of 2021 for 'girl missing' was registered on 03.11.2021 under Section 366 I.P.C. against one Gopal @ Korak. and investigation is in progress and taking note of the said submission, this Court directed the Deputy Superintendent of Police, Thiruchengode to monitor the investigation in All Women Police Station, Thiruchengode in Crime No.28 of 2021 and keep the Petitioner informed of the developments, if any. It was further directed that as and when the detenu is secured, she shall be produced before the Judicial Magistrate, Thiruchengode, under intimation to the Petitioner. .

4. Today, when the matter is taken up for hearing, the learned Additional Public Prosecutor would submit that pursuant to the aforesaid order, the victim girl/detenu was produced before the learned Judicial Magistrate, Tiruchengode for recording Statement under Section 164 Cr.P.C. Before the learned Magistrate, the victim girl has stated that on 01.11.2021 she went to her grandmother's home at Salem, which fact was not known to the Petitioner and thereafter on attaining majority she married one Gopal and living with him.

5. The learned Additional Public Prosecutor would submit that the victim girl is five months pregnant and she wanted to go with her grandmother.

6. This Court enquired the detenu/victim girl . The Victim girl has expressed her willingness to go along with her grandmother Kandayee.

7. Taking note of the submissions made and the fact that the victim girl is a major as on date, we are inclined to permit her to go with her Grandmother.

8. Accordingly, this Habeas Corpus Petition is closed and the victim girl/detenu is permitted to go with her grandmother.

Sd/-

Assistant Registrar (CS-IX)

//True copy//

Sub Assistant Registrar

arr



To

1. The Inspector of Police,
All Women Police Station,
Tiruchengodu.

2. The Public Prosecutor,
Madras High Court,
Chennai - 600 104.

+1cc to Mr.P.Vijendran, Advocate SR.No.35032

H.C.P.No.2073 of 2021

CA (CO)
GMY (07/07/2022)