



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 03.01.2022

CORAM

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

H.C.P.No.2154 of 2021

G.Devi

..Petitioner

Vs.

1. The Superintendent of Police
Villupuram District.

2. The Inspector of Police,
AWPS, Tindivanam,
Villupuram - 605 602.

..Respondents

Petition filed under Article 226 of the Constitution of India, praying to issue a WRIT OF HABEAS CORPUS to direct the 2nd respondent to secure and produce the body of the petitioner's minor daughter G.Durga, D/o.Ganesan, aged about 16 years, before this Hon'ble Court and handover to the petitioner.

For Petitioner : Mr.C.Rajaguru

For Respondents : Mr.R.Muniyapparaj
Additional Public Prosecutor

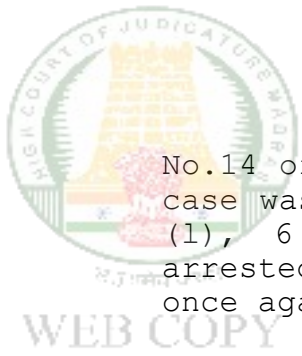
O R D E R

[Order of the Court was made by P.N.PRAKASH, J.]

This petition has been filed seeking a direction to the second respondent to produce the detenu namely G.Durga, D/o.Ganesan, aged about 16 years, before this Court and handover her to the petitioner.

2. It is the case of the petitioner that her daughter Durga aged 16 years went missing from 27.11.2021 and that the police are not taking effective steps to secure her.

3. On instructions, Mr.R.Muniyapparaj, learned Additional Public Prosecutor submitted that, earlier Durga eloped with one Riswan @ Chichi. On a complaint given by the petitioner on 23.08.2021, a case in Tindivanam All Women Police Station Crime



No.14 of 2021 has been registered for 'girl missing'. Later the case was altered to one under Sections 366, 342 IPC & Sections 5 (1), 6 and 8 of POCSO Act, 2012 and the said Riswan was arrested. It is alleged that after he was released on bail, he once again eloped with the petitioner's daughter.

4. In view of the above, this Habeas Corpus Petition stands closed with a direction to the Inspector of Police, AWPS, Tindivanam to proceed with the investigation in Tindivanam All Women Police Station Crime No.14 of 2021 and keep the petitioner informed of the developments, if any. As and when the detinue viz., Durga is secured, she shall be produced before the Sessions Judge, Special Court for exclusive trial of cases under POCSO Act, Villupuram, under intimation to the petitioner. On such production, the learned Sessions Judge shall pass appropriate orders with regard to the custody of the detinue.

Sd/-
Assistant Registrar(CS-IX)

//True Copy//

Sub Assistant Registrar

mtl

To

1. The Sessions Judge
Special Court for exclusive trial of cases under POCSO Act
Villupuram
2. The Superintendent of Police
Villupuram District
3. The Inspector of Police
AWPS, Tindivanam, Villupuram - 605 602
4. The Public Prosecutor
High Court, Madras

+1cc to Mr.C.Rajaguru, Advocate, S.R.No.25

H.C.P.No.2154 of 2021

SSI(CO)
RGA(19/01/2022)