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H.C.P.No.2412 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 19.12.2022

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

AND

THE HONOURABLE Mr.JUSTICE N.ANAND VENKATESH

H.C.P.No.2412 of 2022

Shanthi

.. Petitioner

Vs.

1.The Superintendent of Police  
Thiruvannamalai District

2.The Inspector of Police  
Melchengam Police Station  
Thiruvannamalai District  
Crime No.215 of 2022

3.S.Gunasekaran

.. Respondents

Petition filed under Article 226 of the Constitution of India, praying to issue a WRIT OF HABEAS CORPUS to call for the records in Crime No.215 of 2022 dated 05.08.2022 and direct the 2<sup>nd</sup> respondent herein to produce my daughter named Kanchana, who is in illegal custody of the 3<sup>rd</sup> respondent herein, by person or body and hand over to the petitioner.



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For Petitioner      Mr.S.Silambu Selvan  
For R1 and R2      Mr.R.Muniyapparaj  
Additional Public Prosecutor

## **ORDER**

(Made by P.N.PRAKASH, J.)

On 28.11.2022, we passed the following order :

“It is the case of the petitioner that her daughter Kanchana, aged about 17 years, went missing from 30.07.2022 and that she is in illegal custody of Gunasekaran, third respondent herein, who is none other than the son-in-law of the petitioner and elder brother-in-law of Kanchana.

2. Today, G.Dharuman (Mobile No.82489 35473), Sub-Inspector of Police, Melchengam Police Station, Tiruvannamalai District, is present.

3. On instructions, the learned Additional Public Prosecutor submitted that on a complaint given by the petitioner, a case in Melchengam Police Station Crime No.215 of 2022 has been registered for 'girl missing' on 05.08.2022 and during the course of investigation, it came to light that Gunasekaran/R3 has taken away Kanchana.

4. In such view of the matter, this Court issues a direction to the Deputy Superintendent of Police, Chengam Sub-Division, Tiruvannamalai District, to supervise the investigation in Crime No.215 of 2022 that is being conducted by the Inspector of Police, Melchengam Police Station and keep the petitioner informed of the developments, if any. As and when the detainee viz., Kanchana, aged about 17 years, is secured, she shall be produced before the Judicial Magistrate Court, Chengam, Tiruvannamalai District, under



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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 19.12.2022.”

2. Today, Mr.K.Vediyappan, Grade-I PC-1909, Melchengam Police Station, is present before this Court.

3. On instructions, the learned Additional Public Prosecutor submitted that Kanchana, aged 17 years, was secured by the police on 14.12.2022 and was produced before the Child Welfare Committee, Tiruvannamalai, since the learned Judicial Magistrate, Chengam, was on leave and on the orders of the Child Welfare Committee, she is now kept in Reception Home for Girls, Tiruvannamalai. The detenu will be produced before the Judicial Magistrate, Chengam, today (*i.e.*, 19.12.2022). The learned counsel for the petitioner also admitted the said fact.

Recording the above submission of the learned Additional Public Prosecutor, this habeas corpus petition stands closed.

[P.N.P., J.]

[N.A.V., J.]

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19.12.2022

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P.N.PRAKASH, J.  
AND  
N.ANAND VENKATESH, J.

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To

1.The Judicial Magistrate  
Chengam

2.The Chairperson/Member  
Child Welfare Committee  
Opposite Singatheertham  
Chengam Road  
Annai Sathya Government Home Campus  
Tiruvannamalai 606 603

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3.The Superintendent of Police  
Thiruvannamalai District

4.The Inspector of Police  
Melchengam Police Station  
Thiruvannamalai District  
Crime No.215 of 2022

5.The Public Prosecutor  
Madras High Court  
Chennai

19.12.2022