



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

and

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

H.C.P. (MD) No.439 of 2022

C.Rajesh Mathan

... Petitioner/
Father of the Detenue

Vs.

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

2.The Inspector of Police,
Thoothukudi South Police Station,
Thoothukudi
Thoothukudi District.

3.Saravanakumar

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of Habeas Corpus, directing the respondents to produce the detenue or body of the detenue i.e., petitioner's minor daughter namely, Jaffrin Rejesha, aged about 15 years, D/o.C.Rajesh Mathan, before this Court and hand over the custody of the detenue to the petitioner herein.

For Petitioner : Mr.N.Pragalathan

For Respondents 1 & 2 : Mr.A.Thiruvadikumar
Additional Public Prosecutor

O R D E R

R.SUBRAMANIAN, J.

AND

N.SATHISH KUMAR, J.

The petitioner seeks production of his minor daughter Jaffrin Rejesha, aged about 15 years.

2. Heard the learned counsel appearing on either side and perused the materials placed before this Court.



3. The case of the petitioner is that his daughter went missing from 4.30 p.m. on 11.03.2022. Complaining inaction on the part of the respondent Police, the petitioner has moved this Court by way of this Habeas Corpus Petition.

WEB COPY

4. Mr.A.Thiruvadikumar, learned Additional Public Prosecutor, upon instructions, would submit that the daughter of the petitioner has eloped with the third respondent for the third time within a period of one year. On previous occasions, the detainee was secured and handed over to the parents. He would also add that the respondent Police have taken all steps to secure the detainee.

5. In view of the statement made, we find that the daughter of the petitioner has eloped with the third respondent and it is also seen that the Police have registered a criminal cases for the offences under the Protection of Children from Sexual Offences Act (POCSO Act) as well as IPC.

6. In view of the same, we do not see any valid reason to keep this Habeas Corpus Petition pending. Hence, this Habeas Corpus Petition is closed, with a direction to the respondent Police to expedite the investigation and continue it to its logical conclusion. If the minor is secured, the Respondent Police shall produce her before the Jurisdictional Magistrate and take appropriate further proceedings.

Sd/-

Assistant Registrar(CS-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

rm

To:

- 1.The Superintendent of Police,
Thoothukudi District, Thoothukudi.
- 2.The Inspector of Police, Thoothukudi South Police Station,
Thoothukudi, Thoothukudi District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.N. PRAGALATHAN, Advocate (SR-21762[F] dated 27/04/2022

H.C.P. (MD) No.439 of 2022

21.04.2022

ck(CO)

TR(05.05.2022) 2P 5C