



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.06.2022

CORAM

THE HONOURABLE MR. JUSTICE P.N.PRAKASH

AND

THE HONOURABLE MRS. JUSTICE R.HEMALATHA

H.C.P. (MD) NO.861 OF 2022

Govindaraj

.. Petitioner /

Father of the detenu

Vs.

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

2. The Inspector of Police,
Vallam Police Station,
Thanjavur District.

3. Ayyappan

4. Sivagami

5. Priya

6. Muthusamy

7. Senthil Kumar

8. Thirupathi

.. Respondents

Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus to direct the 1st and 2nd respondents to produce the person or body of the detenu namely Gowsalya, daughter of Govindaraj, aged 17 years before this court and handed over her custody to the petitioner.

For Petitioner : Mr.R.Pon Karthikeyan

For Respondents : Mr.A.Thiruvadikumar for R1 & R2
Additional Public Prosecutor
Mr.V.Sasikumar for R4 to R7
Mr.S.Alagarsamy for R8
R-3 unserved

ORDER

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

It is the case of the petitioner that his daughter Kowsalya, aged 17 years, went missing from the college hostel from 16.05.2022 and that police are not taking effective steps to secure her.



2. Today, Mrs.M.Kalaivani, Inspector of Police, All Women Police Station, Vallam, is present.

3. On instructions, the learned Additional Public Prosecutor submitted that on the complaint given by the petitioner, a case in Vallam Police Station Crime No.717/2022 for 'girl missing' has been registered on 18.05.2022 and during the course of investigation, it came to light that Kowsalya was in love with the third respondent Iyyappan with whom, she has eloped and has got married. The learned Additional Public Prosecutor submitted that the date of birth of Kowsalya is 22.06.2004. Though at the time of filing this Habeas Corpus Petition, Kowsalya was a minor and that she attained the age of majority.

4. In such view of the matter, it cannot be stated that Kowsalya is in the illegal custody of the respondents 1 and 2 for issuance of a writ of Habeas Corpus. Hence, this petition is closed with a direction to the Deputy Superintendent of Police, Vallam to monitor the investigation that is being conducted by the Inspector of Police, in Vallam All Women Police Station Crime No.717/2022 and keep the petitioner informed of the developments, if any. As and when Kowsalya is secured, she may be produced before the Additional Mahila Court (Magisterial Level), Thanjavur, under intimation to the petitioner and the learned Magistrate may pass appropriate orders with regard to custody.

Sd/-

Assistant Registrar (Records)

// True Copy //

/07/2022

Sub Assistant Registrar(CS)

RR

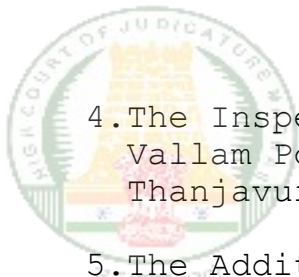
To

1.The Magistrate,
Additional Mahila Court
Thanjavur District

2.The Superintendent of Police,
Thanjavur,
Thanjavur District.

3.The Deputy Superintendent of Police,
Vallam.
Thanjavur District.

<https://hcservices.ecourts.gov.in/hcservices/>



4.The Inspector of Police,
Vallam Police Station,
Thanjavur District.

5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+3 CC to M/s.V. SASI KUMAR, Advocate (SR-28176[F]
dated 27/06/2022)

H.C.P. (MD) No.861 of 2022
24.06.2022

sb(CO)
GC(05.07.2022) 3P 9C