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H.C.P.(MD)No.1058 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.07.2022

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

and

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

H.C.P.(MD)No.1058 of 2022

Kannan

: Petitioner

Vs.

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

2.The Inspector of Police,
Alanganallur Police Station,
Madurai District.

3.Vignesh

: Respondents

PRAYER: Habeas Corpus Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Habeas Corpus, directing the respondents to produce the person or body of the detenu namely, Tharshini, aged 17 years, daughter of Kannan before this Court and handover the custody to the petitioner.



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For Petitioner : Mr.R.Manoharan

For Respondents 1 & 2 : Mr.T.Senthil Kumar

Additional Public Prosecutor

O R D E R

[Order of the Court was made by R.VIJAYAKUMAR, J.]

It is the case of the petitioner that his daughter Tharshini aged about 17 years went missing from 17.06.2022 and that she is in the illegal custody of the third respondent. Hence, the petitioner has filed the present Habeas Corpus Petition with the above prayer.

2.Heard Mr.R.Manoharan, learned Counsel appearing for the petitioner and Mr.T.Senthil Kumar, learned Additional Public Prosecutor who accepts notice on behalf of the respondents 1 & 2.

3.Today, Mr.A.Chinnasamy [Mobile No.9488311911] Special Sub-Inspector of Police, Alanganallur Police Station, Madurai District, is present before this Court.

4.On instructions, learned Additional Public Prosecutor submitted that on the complaint given by the petitioner, a case in Alanganallur Police Station, Madurai in Crime No.163 of 2022 has been registered on 19.06.2022 for 'girl missing'. During the course



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of investigation, it came to light that Tharshini was in love with one Vignesh [third respondent herein] and eloped with him.

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5.Since Tharshini has not attained the age of maturity, we direct the Deputy Superintendent of Police, Omachikulam Sub Division, Madurai District, to supervise the investigation that is being conducted by the Inspector of Police, Alanganallur Police Station, Madurai, in Crime No.163 of 2022 and keep the petitioner informed of the developments, if any. As and when the detinue Tharshini aged about 17 years is secured, she shall be produced before the learned Judicial Magistrate, Vadipatti, under intimation to the petitioner. On such production, the learned Magistrate shall pass appropriate orders with regard to the custody in accordance with law.

6.Accordingly, this Habeas Corpus Petition is closed.

[P.N.P.J.] & [R.V.,J.]

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Index : Yes/No

Internet : Yes/No

MR



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To

1.The Judicial Magistrate,
Vadipatti.

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

3.The Deputy Superintendent of Police,
Omachikulam Sub Division,
Madurai.

4.The Inspector of Police,
Alanganallur Police Station,
Madurai District.

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



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P.N.PRAKASH, J.
and
R.VIJAYAKUMAR, J.

MR

ORDER MADE IN
H.C.P.(MD)No.1058 of 2022

01.07.2022