



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.01.2022

CORAM:

**THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN
and
THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN**

H.C.P. (MD) No.1577 of 2021

Manohar

... Petitioner / Father of detainee

Vs.

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

2.The Inspector of Police,
Shanarpatti Station,
Dindigul District.

... Respondents

PRAYER: Habeas Corpus Petition is filed under Article 226 of the Constitution of India, directing the respondent Nos. 1 and 2 to produce the body or person of the petitioner's daughter namely Kaviya daughter of Manohar, aged 14 years, before this Court and handed over custody to the petitioner.

For Petitioner : Mr.R.Selvaraj

For Respondents : Mr.S.Ravi

Additional Public Prosecutor

O R D E R

[Order of the Court was made by S.VAIDYANATHAN,J.]

Alleging that the petitioner's minor daughter, by name, Kavia, aged about 14 years, found missing, the petitioner, who is the father of the detainee, has lodged a complaint before the second respondent Police on 28.09.2021. The 2nd respondent Police registered a case in Crime No.675 of 2021, for the offence under Section 'Girl Missing'. Since no action has been taken by the respondents to secure the detainee, the present Habeas Corpus Petition has been filed.

2. Earlier, when the matter came up for hearing, it was represented by Mr.A.Thiruvadikumar, learned Additional Public Prosecutor that the detainee and the boy viz., Ajai are the resident of same village and they have been shifting places periodically and



therefore, requested somemore time to secure the minor girl and the boy-Ajai to be produced before this Court.

3. Today, when the matter is taken up for hearing, Mr.S.Ravi, the learned Additional Public Prosecutor for the respondents would submit that the date of birth of the minor is 28.04.2008. The detainee was a minor and she had eloped with the boy/Ajai and they have gone to Gujarat from where they have been secured on 08.01.2022. The boy has been arrested on the very same day. The offences have been altered into one under Section 366(A) of IPC., r/w Section 51 and Section 6 of Protection of Children from Sexual Offences Act, 2012. They have been produced before the learned Judicial Magistrate No.2, Dindigul. He further stated that the medical examination has already been conducted and 164 Cr.P.C., statement is to be recorded. He would further submit that the girl is refusing to go with the parents and now she staying at 'Annai Sathya Illam', at Dindigul.

4. Recording the aforesaid facts narrated by the learned Additional Public Prosecutor, we find that no further adjudication is required in this Habeas Corpus Petition and the same is dismissed. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

MPK

To

1.The Judicial Magistrate No.II,
Dindigul.

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

3.The Inspector of Police,
Shanarpatti Station,
Dindigul District.

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

ORDER MADE IN

H.C.P. (MD) No.1577 of 2021

10.01.2022

BK(CO)

GC(03.02.2022) 2P 5C

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