



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.01.2022

CORAM:

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

H.C.P. (MD) No.1698 of 2021

Panchavarnam

... Petitioner /
Father of the Detenue

Vs.

1.The Superintendent of Police,
Office of the Superintendent of Police,
Ramanathapuram.

2.The Inspector of Police,
Mudukulathur Police Station,
Ramanathapuram District.

3.Durai

... Respondents

PRAYER: Habeas Corpus Petition filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus, to direct the respondents 1 and 2 to produce the body or person of the petitioner's minor daughter, namely, Dhanushiya, aged about 16 years, before this Court and hand over the custody of his minor daughter to the petitioner.

For Petitioner : Mr.D.Senthil

For R1 and R2 : Mr.S.Ravi

Additional Public Prosecutor

O R D E R

S.VAIDYANATHAN, J.

And

DR.G.JAYACHANDRAN, J.

[Order of the Court was made by **DR.G.JAYACHANDRAN, J.**]

The father of the minor girl has filed this Habeas Corpus Petition alleging that the third respondent herein has kidnapped his daughter on 01.11.2021 and he apprehends that her life is in danger and the hands of the third respondent and his family members. Hence,



he lodged a complaint before the second respondent and the said complaint was registered in Crime No.382 of 2021, but till date, the respondent police has not taking any action to trace his daughter.

2. The learned Additional Public Prosecutor submits that the girl was traced and rescued on 05.12.2021. She had been kidnapped by the third respondent Juvenile, aged 17 years, with the connivance of his parents and family members. The third respondent has been produced before the Juvenile Justice Board, Madurai and taken into custody. As far as the other accused are concerned, they are still absconding. In this regard, a case has been registered under Section 366 IPC and Section 5(1) r/w 6 of POCSO Act. The learned Additional Public Prosecutor would further submit that the minor girl had been sent to medical examination and waiting for the Magistrate's order for recording her statement under Section 164 Cr.P.C. The minor girl has now been taken custody by the parents, the petitioner herein.

3.The learned counsel for the petitioner would submit that the girl has been handed over to the petitioner and she is now taken care by the parents.

4. Recording the same, this Habeas Corpus Petition is disposed of. No Costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

PJL

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The Superintendent of Police,
Office of the Superintendent of Police,
Ramanathapuram.

2.The Inspector of Police,
Mudukulathur Police Station,
Ramanathapuram District.

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



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

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GC(11.01.2022) 3P 4C

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