



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.01.2022

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN
and
THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN
H.C.P.(MD) No.1781 of 2021

M.Murugeswari

... Petitioner

-vs-

1.State rep. by
The Superintendent of Police,
Dindigul District,
Dindigul.

2.State rep. by
The Inspector of Police,
Palani Taluk Police Station,
Dindigul District.

3.Kalidhas

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of Habeas Corpus, directing the respondents 1 & 2 to produce the person or body of the detainee namely, M.Malathi, D/o.Mathanam, aged about 16 years, Minor daughter of the petitioner from the illegal custody of the third respondent before this Court and hand over the custody of the petitioner.

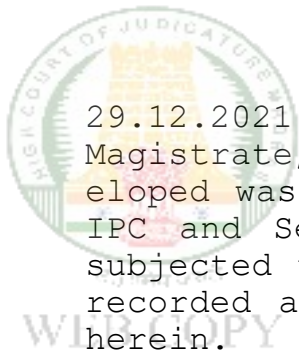
For Petitioner	:	Mr.S.Karthik
For R1 & R2	:	Mr.S.Ravi
		Additional Public Prosecutor

O R D E R

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

The mother of 16 years old girl has approached this Court seeking issuance of Habeas Corpus Petition since her daughter has been illegally taken into custody by the third respondent.

2. Today, the respondent police has produced the detainee before this Court through Video Conferencing through the Public Prosecutor Office. The learned Additional Public Prosecutor appearing for the respondents 1 & 2 has submitted that the girl was secured on



29.12.2021 and she was produced before the learned Judicial Magistrate, Palani and the third respondent with whom the detenu e eloped was arrested and the case has been altered into Section 363 IPC and Section 5 (1) r/w 6 of POCSO Act. The minor girl was subjected to medical examination and 164(3) Statement has also been recorded and now she was handed over to her mother the petitioner herein.

3. In view of the above fact, this Habeas Corpus Petition is closed since the girl has been secured and handed over to the petitioner. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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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,
Dindigul District,
Dindigul.
- 2.The Inspector of Police,
Palani Taluk Police Station,
Dindigul District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.S.KARTHIK, Advocate (SR-153[F] dated 04/01/2022)

H.C.P. (MD) No.1781 of 2021
03.01.2022

NSN(CO)
KB(12.01.2022) 2P 5C