



H.C.P.(MD) No.2026 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.12.2022

CORAM:

**THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN
AND
THE HON'BLE MR JUSTICE SUNDER MOHAN**

H.C.P.(MD) No.2026 of 2022

R.Prabaharan

... Petitioner

-VS-

**1.Superintendent of Police,
Kanniyakumari District.**

**2.The Inspector of Police,
All Woman Police Station,
Colachel,
Kanniyakumari District.**

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of Habeas Corpus, directing the respondents 1 and 2 herein to produce the person or body of the petitioner herein, before this Court and hand over custody of the petitioner's minor girl P.Devika to the petitioner.

For Petitioner : Mr.M.Krishna Sreethar

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



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ORDER

DR.G.JAYACHANDRAN,J.
AND
SUNDER MOHAN,J.

The father of the 14 years old child is before this Court seeking issuance of writ of habeas corpus alleging that his daughter went missing on 21.11.2022 and not traceable in spite of complaint to the second respondent.

2. The learned Additional Public Prosecutor appearing for the respondents submitted that subsequent to the registration of the complaint, the girl has been traced. The preliminary investigation reveals that the girl has eloped with one Latcha Prabhu, aged about 27 years and she was living with him at Tirupur.

3. Both the minor girl and the said Latcha Prabhu were secured by the police. The girl is present before this Court and the boy Latcha Prabhu was arrested on 06.12.2022 and remanded to judicial custody for the offences under Sections 366(A) IPC altered into 366(A) of IPC and Section 5(1), 6 and 9 of POCSO Act.



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4. This Court enquired the girl whether she wants to go with the petitioner or to stay at any care home. She expressed her desire to go with her father.

5. Recording her desire, this Habeas Corpus Petition is disposed of. No costs.

[G.J.,J.] [S.M.,J.]
07.12.2022

Index : Yes / No
Internet : Yes / No
am

To

1. Superintendent of Police,
Kanniyakumari District.
2. The Inspector of Police,
All Woman Police Station,
Colachel,
Kanniyakumari District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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