



WEB COPY



H.C.P.No.366 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.03.2023

CORAM

THE HONOURABLE MR.JUSTICE M.SUNDAR
and

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

H.C.P.No.366 of 2023

T.Dhandapani
S/o.Thanappan

.. Petitioner

Vs.

1. The Superintendent of Police
Office of Superintendent of Police
Dharmapuri District.

2. The Inspector of Police
All Women Police Station
Dharmapuri.

3. Karthick
S/o.Murugesan

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of habeas corpus to direct the 2nd respondent to produce the petitioner's minor daughter namely, Kavitha (aged 15 years) before this Hon'ble Court, who is in illegal custody of the 3rd respondent and hand over to the petitioner.

Page Nos.1/4



H.C.P.No.366 of 2023

For Petitioner : Mr.R.Raghul
For Respondents : Mr.R.Muniyapparaj
Additional Public Prosecutor
assisted by
Mr.M.Sylvester John, Advocate
for R1 & R2

ORDER

[Order of the Court was made by N.ANAND VENKATESH, J.,]

The father of the absentee has filed this petition on the ground that the absentee is in illegal custody of the third respondent.

2. Heard Mr.R.Raghul, learned counsel on record for petitioner and Mr.R.Muniyapparaj, learned Additional Public Prosecutor for the respondents 1 and 2.

3. The learned Additional Public Prosecutor, on instructions from Ms.V.Gomathi, Inspector of Police, All Women Police Station, Dharmapuri, submitted that pursuant to the registration of FIR in Crime No.1 of 2023 on 17.01.2023, the absentee was secured at Tiruppur and she was produced before this Court. The learned Additional Public Prosecutor submitted that the absentee developed friendship with the third respondent and that the



H.C.P.No.366 of 2023

second respondent police is proceeding with further investigation and the same will be taken to its logical end.

4. The petitioner, his spouse and the absentee were present before this Court. We had a short interaction with the absentee and her parents. The absentee stated that she is willing to go along with her parents. Her parents also stated that they will take the absentee along them and give her good education and take care of her.

5. In the light of the above, no further order is required to be passed in the habeas corpus petition except recording the statements made by the parties. It is made clear that the second respondent shall proceed further with the investigation in Crime No.1 of 2023 and take it to its logical end in accordance with law.

6. Accordingly, this Habeas Corpus Petition is disposed of as closed. There shall be no order as to costs.

(M.S.,J.)

(N.A.V.,J.)

24.03.2023

Index : Yes / No

Speaking / Non-speaking

Neutral Citation : Yes / No

mk

Page Nos.3/4



WEB COPY



H.C.P.No.366 of 2023

M.SUNDAR, J.,
and
N.ANAND VENKATESH, J.,

mk

To

1. The Superintendent of Police
Office of Superintendent of Police
Dharmapuri District.
2. The Inspector of Police
All Women Police Station
Dharmapuri.
3. The Public Prosecutor
High Court, Madras.

H.C.P.No.366 of 2023

24.03.2023

Page Nos.4/4