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Crl.O.P.No.19021 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.08.2023

CORAM :

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.19021 of 2023

B.Malliga

.. Petitioner

Versus

State by:

**The Inspector of Police, (L&O),
H6, R.K.Nagar Police Station, Chennai.**

.. Respondent

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to set aside the return docket order passed on 24.05.2023 on the file of the learned XV Metropolitan Magistrate, George Town, Chennai in Cr.No.21 of 2023 on the file of the respondent and to entertain the returned unnumbered petition.

For Petitioner : Mr.R.C.Manoharan

**For Respondent : Mr.A.Damodaran,
Additional Public Prosecutor**

ORDER

This petition has been filed for a direction to give the custody of the victim girl to the petitioner who is her grandmother.



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2. When the matter came up for hearing on 23.08.2023, this Court directed the concerned authority to enquire the victim girl and to ascertain as to whether she is willing to go along with the petitioner (grandmother). The matter was posted for hearing today and the Chairperson of the Child Welfare Committee, Chennai - North Zone has filed a report and for proper appreciation, the same is extracted hereunder:-

"The Child Hemavathy (Profile No.26/2023) was produced before CWC by the CCI. This was done on the request of H6 R.K. Nagar Police. On direction of honble High Court of Judicature at Madras Crl.OP.No.19021 of 2023. For this purpose in the presence of CWC, Grand mother RK Nagar SI Mr. Velmurugan we requested the child and asked her willingness to go with her Grand mother Mallika. The child refused to go with the Grand mother more over the Child do not want the Grand mother to visit the CCI too. A letter from the child also obtained in this regard. This update is done on 25.08.2023."

3. In view of the above, the relief sought for by the petitioner cannot be granted by this Court and this Criminal Original Petition is closed.

30.08.2023

Index : yes/no
Speaking order/Non-speaking order
Neutral Citation : yes/no



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To

1. The XV Metropolitan Magistrate,
George Town, Chennai.
2. The Inspector of Police, (L&O),
H6, R.K.Nagar Police Station, Chennai.
3. The Public Prosecutor,
High Court of Madras.



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N.ANAND VENKATESH, J.

grs

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