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H.C.P.No.1951 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.11.2023

CORAM :

THE HONOURABLE MR. JUSTICE S.S. SUNDAR

AND

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

H.C.P.No.1951 of 2023

Perumal

... Petitioner

Vs.

1.The Commissioner of Police,
Office of the Commissioner of Police,
Veppery,
Chennai,
Chennai District.

2.The Inspector of Police,
Abiramapuram Police Station,
Chennai,
Chennai District.

3.Suresh

... Respondents

Prayer : Habeas Corpus Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Habeas Corpus to direct the 2nd respondent herein to produce minor Daughter Manimegalai, aged 17 years,



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before this Court from the custody of the 3rd respondent and handover to the petitioner.

For Petitioner : Mr.D.Arun
For Respondents : Mr.E.Raj Thilak
Additional Public Prosecutor
assisted by Aravind C.

ORDER

(Order of the Court was made by **S.S. SUNDAR, J.**)

The petitioner, father of the detainee Manimegalai, aged 17 years, has come forward with this petition to direct the 2nd respondent herein to produce the detainee before this Court from the custody of the 3rd respondent and handover to the petitioner.

2.The case of the petitioner is that the 3rd respondent, who was working as Driver, had kidnapped his daughter, who is a minor studying in School. In the affidavit filed in support of this petition, there is reference to a similar incident on 25.04.2022.



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3.It is reported that the detenue has been secured from the custody of the 3rd respondent who is 41 years old and married. It is also reported that as against the 3rd respondent, a criminal case was registered under POCSO Act and now, he has been arrested on issuance of Non-Bailable Warrant.

4.The detenue is now produced before this Court. On enquiry, she states that she was forcefully taken by the 3rd respondent and that the 3rd respondent was threatening her not to disclose anything about him. She also states that she is willing to go with her parents. The parents of the detenue are also present before this Court.

5.We are not inclined to go into the conduct of the 3rd respondent, as it will be the subject matter of the criminal case registered against him. As far as this Habeas Corpus Petition is concerned, for the present, recording the fact that the detenue, who was kept under the illegal detention by the 3rd respondent, has now been secured and produced before this Court and that



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she is now willing to go with her parents, recording the facts, this Habeas

Corpus Petition is closed as no further direction is necessary.

(S.S.S.R., J.) (S.M., J.)
16.11.2023

mkn

Internet : Yes

Index : Yes / No

Neutral Citation : Yes / No

To

1. The Commissioner of Police,
Office of the Commissioner of Police,
Veppery,
Chennai,
Chennai District.

2. The Inspector of Police,
Abiramapuram Police Station,
Chennai,
Chennai District.

3. The Public Prosecutor,
High Court, Madras.



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and
SUNDER MOHAN, J.

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