



HCP.No.2082/2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.11.2023

CORAM :

THE HONOURABLE MR. JUSTICE S.S. SUNDAR

AND

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

HCP.No.2082/2023

G.Pormannan

... Petitioner

Vs.

1.The Superintendent of Police
O/o.The Superintendent of Police
Villupuram District, Villupuram.

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

3.S.Manikandan

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India in the nature of habeas corpus directing the 2nd respondent to produce the person and body of the detainee Minor Revathi, daughter of Mr.Perumal, aged 17 years before this Court and hand over to the petitioner.



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For Petitioner : Mr.M.Palanimuthu
For RR 1 & 2 : Mr.E.Raj Thilak
Additional Public Prosecutor

ORDER

[Order of the Court was made by S.S.SUNDAR, J.,]

- (1)The present petition is filed by the petitioner, grandfather of the detenue Revathi, aged 17 years, to cause production of his granddaughter, before this Court and to hand over her custody to him.
- (2)The case of the petitioner herein is that his granddaughter was kidnapped by the 3rd respondent on 15.09.2023 and has been detained by him for more than a month. The petitioner states that the detenue discontinued her studies from 11th standard.
- (3)It is his further case that the detenue was found missing on an earlier occasion on 12.01.2022 and the petitioner came to know that she had a love affair with the 3rd respondent. However, after lodging a police complaint with the 2nd respondent and registration of case in the year 2022 under POCSO Act against the 3rd respondent herein, the detenue



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was secured by the police and was handed over to the petitioner herein. It is seen that again the detainee had gone from the house with the 3rd respondent herein.

(4) Today, the detainee was produced from Kalaiselvi Karunalaya Home at Villupuram, where she was housed earlier.

(5) On enquiry, the detainee stated that she was not kidnapped or taken by anyone and that she had gone out of the house on her own volition as the detainee's parents are making arrangements for her marriage with someone else. Upon further enquiry, she had also expressed her willingness to stay at the Home itself and is not inclined to go along with the petitioner herein or anyone who is a close relative of her.

(6) It is seen from the Aadhar Card annexed in the typed set of documents that the Date of Birth of the detainee is 19.11.2005 and that she would attain majority by 18.11.2023. Hence, recording her statement, this Court, without prejudice to the pending case or the case that may be filed against the 3rd respondent or anyone, closes this Habeas Corpus Petition with a direction to the respondent police to house the detainee in the Home in which she was housed earlier till she attains majority.



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(7)With the above direction, the petition stands closed.

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[S.S.S.R., J.] [S.M, J.]
15.11.2023

AP

Internet : Yes

To

- 1.The Superintendent of Police
O/o.The Superintendent of Police
Villupuram District, Villupuram.
- 2.The Inspector of Police
All Women Police Station
Villupuram.
- 3.The Public Prosecutor,
High Court, Madras.

S.S. SUNDAR, J.,



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and
SUNDER MOHAN, J.,

AP

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