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HCP No.2599 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.03.2023

Coram

The Hon'ble Mr. Justice **M.SUNDAR**
and
The Hon'ble Mr. Justice **M.NIRMAL KUMAR**

H.C.P. No.2599 of 2022

Rajalakshmi

... Petitioner

-VS-

1.The Superintendent of Police,
Office of the Superintendent,
Villupuram District.

2.The Inspector of Police,
AWPS Villupuram,
Villupuram District.

... Respondents

Habeas Corpus Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus directing the respondents herein to produce the petitioner's elder minor daughter XXX or her body before this Court and hand over to the petitioner.

For Petitioner .. Mr.S.Thirukkumaran

For Respondents .. Mr.R.Muniyapparaj
Additional Public Prosecutor



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ORDER

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[Order of the Court was made by M.NIRMAL KUMAR, J.]

Read this in conjunction with and in continuation of our earlier proceedings made on 28.02.2023, which reads as follows:

'Read this in conjunction with and in continuation of earlier proceedings made in the previous listings on 19.12.2022 and 15.02.2023, which read as follows:

Proceedings dated 19.12.2022:

'This petition has been filed seeking a direction to the respondents herein to produce the petitioner's elder minor daughter XXX and handover her custody to the petitioner.

2.It is the case of the petitioner that his elder minor daughter XXX went missing from 15.11.2022. Since the police are not taking effective steps to secure his daughter, the petitioner has filed the present petition.

3.Today, Ms.T.Latha, Special Sub-Inspector of Police, All Women Police Station, Villupuram [Mobile 94981 44231], is present.

4.On instructions, learned Additional Public Prosecutor submitted that based on the complaint of the petitioner, a case in All Women P.S.Crime No.103 of 2022 was registered for "girl missing" on 18.11.2022 and the investigation is in progress.



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5. In the above circumstances, we direct the Deputy Superintendent of Police, Villupuram, to supervise the investigation in All Women P.S. Crime No.103 of 2022 and keep the petitioner informed of the developments, if any. As and when the detinue is secured, she shall be produced before the Additional Mahila Court (Magisterial level), Villupuram, under intimation to the petitioner. On such production, the learned Magistrate shall pass appropriate orders.

Post on 04.01.2023.'

Proceedings dated 15.02.2023:

'In the captioned matter, learned State Additional Public Prosecutor has placed before us a status report dated 06.02.2023 from the second respondent.

2. Mr. S. Thirukkumaran, learned counsel for petitioner is before us.

3. Adverting to the status report, learned State Additional Public Prosecutor submits that investigation is progressing and requests for three weeks time. Request acceded to.

4. List three weeks hence. List on 08.03.2023.'

2. Today the absentee has been secured and she is before us. Mr. S. Thirukkumaran, learned counsel for petitioner submits that the petitioner has been informed



today [to be noted petitioner is the mother of the absentee] and requests for listing the matter day after tomorrow so as to enable the petitioner to be present in Court.

3.The respondents to ensure the safety of the absentee if necessary by referring to Child Welfare Committee [CWC].

4.In the light of the narrative thus far, list the matter on 02.03.2023.'

2.Today, the minor girl is present in Court and she was allowed to interact with the petitioner/mother and her father. Now the minor girl is willing to join her parents and to pursue further studies.

3.Learned Additional Public Prosecutor is directed to inform the Child Welfare Committee to interact and to provide counselling to the minor girl and her parents, as regards the investigation, the same shall continue.

4.In view of the above, nothing further survives in the present petition and accordingly, the Habeas Corpus Petition stands disposed of. There shall be no order as to costs.



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6.List the matter on 30.03.2023 for filing Status report [though HCP is disposed of]

(M.S,J.) (M.N.K.,J.)
02.03.2023

Index:Yes

Neutral Citation : Yes/No
cse

To

- 1.The Superintendent of Police,
Office of the Superintendent,
Villupuram District.
- 2.The Inspector of Police,
AWPS Villupuram, Villupuram District.
- 3.The Public Prosecutor,
High Court of Madras, Chennai - 104.



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**M.SUNDAR, J.
and
M.NIRMAL KUMAR, J.**

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