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H.C.P.No.2698 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 10.01.2023

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THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

AND

THE HONOURABLE Mr.JUSTICE N.ANAND VENKATESH

H.C.P.No.2698 of 2022

K.Tamilselvan

.. Petitioner

Vs.

1.The Superintendent of Police
District Police Office Building
1st Floor, Sathuvacheri
Vellore District 632 009

2.The Inspector of Police
Pallikonda Police Station
Vellore District

3.P.Dinesh

.. Respondents

Petition filed under Article 226 of the Constitution of India, praying to issue a WRIT OF HABEAS CORPUS directing the respondents 1 and 2 to produce the person or body of the detainee petitioner's minor daughter viz., T.Ramya, aged about 17 years, D/o.K.Tamilselvan before this Court from



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the illegal custody of the 3rd respondent and hand over her to the petitioner.

For Petitioner : Mr.B.Karthikeyan
For R1 and R2 : Mr.R.Muniyapparaj
Additional Public Prosecutor

ORDER

[Made by P.N.PRAKASH, J.]

It is the case of the petitioner that his daughter *viz.*, Ramya, aged about 17 years, went missing on 02.12.2022 and is in the illegal custody of the 3rd respondent; he is unable to trace her; despite lodging of a complaint, the police are not taking effective steps to secure her and hence, the present habeas corpus petition seeking a direction to the 2nd respondent to produce her before this Court and set her at liberty.

2. Today, Mr.K.Arumugam, Sub-Inspector of Police, Pallikonda Police Station, is present before this Court.

3. On instructions, the learned Additional Public Prosecutor submitted that on a complaint given by the petitioner, a case in Pallikonda P.S. Crime No.298 of 2022 was registered on 02.12.2022 for “girl missing” and



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thereafter, the case is now altered to one under Section 366-A IPC against the 3rd respondent. He further submitted that the preliminary investigation conducted by the police revealed that Ramya was in love with the 3rd respondent, has eloped with him and are now in the Tirunelveli area.

4. In such view of the matter, we direct the Deputy Superintendent of Police, Vellore, to supervise the investigation in Pallikonda P.S. Crime No.298 of 2022 and keep the petitioner informed of the developments, if any. As and when the detenue *viz.*, Ramya is secured, she shall be produced before the Judicial Magistrate No.V, Vellore, under due intimation to the petitioner. On such production, the learned Magistrate shall pass appropriate orders with regard to the custody of the detenue.

With the above directions, this habeas corpus petition stands closed.

[P.N.P., J.] [N.A.V., J.]

10.01.2023

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P.N.PRAKASH, J.

AND

N.ANAND VENKATESH, J.

gya

To

1.The Judicial Magistrate No.V
Vellore

2.The Deputy Superintendent of Police
Vellore

3.The Superintendent of Police
District Police Office Building
1st Floor, Sathuvacheri
Vellore District 632 009

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4.The Inspector of Police
Pallikonda Police Station
Vellore District

5.The Public Prosecutor
High Court, Madras

10.01.2023