



HCP(MD)No.105 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 07.02.2023

CORAM

**THE HON'BLE DR.JUSTICE G.JAYACHANDRAN
AND
THE HON'BLE MR.JUSTICE SUNDER MOHAN**

H.C.P.(MD)No.105 of 2023

G.Jeyachandran

.. Petitioner/Father of the
Detenu

Vs.

1.The Superintendent of Police,
Kanyakumari District,
Nagercoil.

2. The Inspector of Police,
All Women Police Station,
Kanyakumari,
Kanyakumari District.
(Crl.No.37 of 2022)

3. Sanjay

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to
issue a writ of Habeas Corpus, directing the respondents 1 & 2 to produce



HCP(MD)No.105 of 2023

the body or person of the detenu, the petitioner's daughter, namely, J.S.Gladis Ida, D/o.G.Jeyachandran, aged about 15 years before this Court and hand over the custody to the petitioner.

For Petitioner : Mr.C.T.Perumal

For Respondents : Mr.R.Meenakshi Sundaram
Additional Public Prosecutor
for R1 & R2

ORDER

DR.G.JAYACHANDRAN, J.
and
SUNDER MOHAN, J.

The father of the minor girl, aged 15 years is the petitioner herein. On 08.11.2022, his minor daughter went missing. Suspecting that the third respondent Sanjay has kidnapped her, complaint was given since police could not trace his missing daughter, he has approached this Court filing Habeas Corpus Petition under Article 226 of the Constitution of India.

2. Today, the learned Additional Public Prosecutor mentioned that the minor girl has been secured and the third respondent Sanjay was arrested



HCP(MD)No.105 of 2023

and remanded into judicial custody and section was altered into POCSO

Act. The medical examination of the girl is over and she is kept in a Home.

The father, who is the petitioner and his wife, the mother of the minor girl are present today. We enquired the parents as well as the minor girl. It appears that the girl has been enticed by the third respondent exploiting her innocence. Now she wants to go with her parents and pursue her studies.

3. In view of the above fact, the girl is given to the custody of the petitioner and his wife as wished by the minor girl.

4. In the result, this Habeas Corpus Petition is closed.

[G.J.,J.] & [S.M.,J.]
07.02.2023

Index: Yes/No
Internet: Yes/No
NCC: Yes/No

PJL

To
1. The Superintendent of Police,
Kanyakumari District,
Nagercoil.

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



HCP(MD)No.105 of 2023

Kanyakumari,
Kanyakumari District.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



HCP(MD)No.105 of 2023



WEB COPY



HCP(MD)No.105 of 2023

**DR.G.JAYACHANDRAN, J.
and
SUNDER MOHAN, J.**

PJL

H.C.P.(MD)No.105 of 2023

07.02.2023