



HCP(MD)No.144 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 20.02.2023

CORAM

**THE HON'BLE DR JUSTICE G.JAYACHANDRAN
AND
THE HON'BLE MR JUSTICE K.K. RAMAKRISHNAN**

H.C.P.(MD)No.144 of 2023

R.Suriyakala

.. Petitioner / Mother of
the Detenu

Vs.

1.The Superintendent of Police,
Madurai District,
Madurai-625 007.

2.The Inspector of Police,
Alanganallur Police Station,
Madurai District.

3.Karthi

.. Respondents

Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus, directing the second respondent to secure the detenu and produce the body or person of the detenu viz., Renganayagi, D/o.Rajaraman, aged 17 years, before this Court, illegally detained by the 3rd respondent and hand over the custody of the detenu to the petitioner forthwith.



HCP(MD)No.144 of 2023

For Petitioner :Mr.B.Sudhasathayananth
For R1 & R2 :Mr.R.Meenakshi Sundaran
Additional Public Prosecutor

ORDER

DR G.JAYACHANDRAN,J.
and
K.K. RAMAKRISHNAN,J.

This Habeas Corpus Petition is filed by the mother of the detenu alleging that her elder daughter Renganayagi was found missing.

2.According to the petitioner, on 11.01.2023 she gave a complaint to Alanganallur Police Station stating that her minor daughter had gone missing from 10.01.2023 at midnight and the police were not able to trace the petitioner's daughter. While so, on information received that the third respondent Karthik has kidnapped her daughter, the present Habeas Corpus Petition is filed.

3.Today, the respondent police secured the minor girl and produced before this Court. We enquired the detenu. She stated that she was kidnapped by Karthik, who was in love with the minor girl, married her and



HCP(MD)No.144 of 2023

had sexual intercourse. Therefore, the respondent police has altered the case from 'Girl Missing' to Section 366 IPC and Section 9 of Hindu Marriage Act, r/w. Section 5 of POCSO Act. The detenu is willing to go along with the petitioner. Therefore, the custody of the girl is being handed over to the petitioner. The respondent police is yet to record the statement of the minor girl and conduct medical test.

4.The learned Additional Public Prosecutor appearing for the first and second respondents states that the respondent police has been duly instructed to conduct medical test and record the statement of the minor girl.

5.Since the minor girl has been secured and handed over to the petitioner, nothing survives for adjudication in the Habeas Corpus Petition and hence, the same is closed.

(G.J.,J.) (K.K.R.K.,J.)
20.02.2023

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



WEB COPY



HCP(MD)No.144 of 2023

DR G.JAYACHANDRAN,J.
and
K.K. RAMAKRISHNAN,J.
Ns

To

- 1.The Superintendent of Police,
Madurai District,
Madurai-625 007.
- 2.The Inspector of Police,
Alanganallur Police Station,
Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

H.C.P.(MD)No.144 of 2023

20.02.2023