



H.C.P.(MD) No.379 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 23.03.2023

CORAM:

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

AND

THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

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A.Nagalakshmi

... Petitioner / Mother of the Detenue

Vs.

1.The Superintendent of Police,
Dindigul District,
Dindigul.

2.The Inspector of Police,
Eriodu Police Station,
Dindigul District.

3.Anbu

...Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, directing the respondents 1 and 2 to secure and produce the body or person of the detenu namely Poornima Sri, D/o.Alagarsamy, aged about 17 years, before this Hon'ble Court, who was illegally detained by the 3rd Respondent and handover the custody to the petitioner.



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For Petitioner : Mr.K.Ponnudurai

For Respondents : Mr.A.Thiruvadi Kumar,
1 & 2 Additional Public Prosecutor

ORDER

(Order of the Court was made by ***R.SURESH KUMAR, J.***)

This Habeas Corpus Petition has been filed seeking a direction to the respondents 1 and 2 to secure and produce the body or person of the detainee namely Poornima Sri, D/o.Alagarsamy, aged about 17 years, before this Court, who was illegally detained by the 3rd Respondent and handover the custody to the petitioner.

2. Pursuant to the earlier notice given to the official respondents, today, when the Habeas Corpus Petition is taken up for hearing, Mr.A.Thiruvadi Kumar, learned Additional Public Prosecutor, appearing for the official respondents has submitted that after investigation the detainee has been found out and she has been brought before this Court and has been produced.

3. We have enquired the said detainee girl, who is a minor, aged about 17 years, and she has given a statement also to the Inspector of Police,



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Eriodu Police Station, Dindigul District, before whom she appeared on 21.03.2023. According to her, that, she fell in love with the third respondent and at her compulsion only he has taken her to Kerala, where in a relative house of the 3rd respondent, she claimed to have been residing and during the said period there was no illegal intimacy with the third respondent, she said.

4. She would also submit that, since she has to continue her studies, for which, the parents of the detainee also have taken steps to pursue her studies, realising this situation, the detainee now stated before us that she wants to go with the parents i.e., the petitioner and to live with them.

5. Recording the said statements made by the detainee and after having enquired the petitioner and her husband, who are the parents of the detainee, we feel that, the detainee being the minor and since she wants to be with her parents, she can be permitted to go with her parents and live with them.



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6. In view of the same, this Habeas Corpus Petition can be closed,
accordingly is closed.

(R.S.K., J.) & (K.K.R.K, J.)

23.03.2023

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

SJ

To

1.The Superintendent of Police,
Dindigul District,
Dindigul.

2.The Inspector of Police,
Eriodu Police Station,
Dindigul District.

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



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R.SURESH KUMAR, J.

AND

K.K.RAMAKRISHNAN, J.

SJ

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