



H.C.P.(MD) No.482 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 25.04.2023

CORAM:

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

AND

THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

H.C.P.(MD)No.482 of 2023

K.Sundarapandi

... Petitioner / Father of the
detenue

Vs.

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

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

3.Ranjithkumar

...Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, directing the 2nd and 3rd Respondents to produce the body or person of the petitioner's daughter namely Kamali, S/o. Sundarapandi, aged 14 years before this Hon'ble Court and handover the custody to the petitioner.

For Petitioner : Mr.M.Chandrabose



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For Respondents : Mr.R.M.S.Sethuraman
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 2nd and 3rd Respondents to produce the body or person of the petitioner's daughter, namely, Kamali, aged 14 years before this Court and handover the custody to the petitioner.

2. Pursuant to the earlier proceedings, today also, the detainee has been produced before this Court after completing the medical formalities. The medical report has been filed before this Court, where the doctor certified that the detainee girl had illicit relationship with the boy viz., Ranjithkumar. Based on the said medical report, the F.I.R. already filed as girl missing case was altered into the case for the offences under Sections 366 I.P.C. r/w 9 of C.MR Act and 5(1) and 6 of POCSO Act, pursuant to which the boy was arested and remanded.



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3. Insofar as the detinue girl is concerned, since she is a minor girl and the petitioner is the father of the minor detinue girl and he wants to take her back, we feel that the detinue girl shall be taken back by the petitioner / father and he must take care of the well being of the detinue girl.

4. With the above directions, this Habeas Corpus Petition is closed.

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

25.04.2023

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

SJ

To

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

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

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

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AND

K.K.RAMAKRISHNAN, J.

SJ

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