



HCP(MD)No.925 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 26.07.2023

CORAM

**THE HON'BLE MR JUSTICE M.S.RAMESH
AND
THE HON'BLE MR JUSTICE M.NIRMAL KUMAR**

H.C.P.(MD)No.925 of 2023

Soundarapandian

.. Petitioner / Grandfather of the Detenue

Vs.

1.The Superintendent of Police,
O/o. Superintendent of Police,
Madurai District.

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

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus, directing the respondents to produce the body or person of the petitioner's granddaughter (detenue) namely Supriya, D/o.Ashokpandian, aged about 17 years before this Court and hand over her custody to the petitioner.



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For Petitioner : Mr.C.Meenakshi Ramaprabhu
for Mr.S.Krishnan
For Respondents : Mr.RMS.Sethuraman
Additional Public Prosecutor

ORDER

(Order of the Court was made by M.S.RAMESH,J.)

By consent of both the parties, this Habeas Corpus Petition is taken up for final disposal.

2. The petitioner is the grandfather of Miss.Supriya, D/o.Ashokpandian, born on 05.10.2006 and now aged about 17 years. When his granddaughter went missing from 14.07.2023, he had given a complaint before the second respondent, which was registered in Crime No.157/2023 dated 14.07.2023 under girl missing. In this background, the present Habeas Corpus Petition has been filed.



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3. Today, when the matter was listed for admission, the second respondent had produced Miss.Supriya before us, together with the statement obtained from her, dated 21.07.2023. As per the statement of Miss.Supriya, she was in love with one Muneeswaran, son of Thangam, through Instagram for the past 1 ½ years. On 14.07.2023, she had voluntarily eloped with the said Muneeswaran and got married in Vinayagar temple. Thereafter, she was living with the said Muneeswaran till she was secured by the second respondent Police on 21.07.2023.

4. The learned Additional Public Prosecutor submitted that the complaint preferred by the petitioner herein has been registered in Crime No.157/2023 and the offences have been altered into Section 343 IPC and Section 9 of Child Marriage Act and 5(1) and 6 of the POCSO Act. He would state that the investigation is pending.

5. We interacted with the petitioner and his granddaughter Supriya. According to the girl, she now intends to live with her father, namely, Ashokpandian and her stepmother, residing at Kinadru Street, Sangankottai,



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Sholavandan, Vadipatti Taluk, Madurai District. The petitioner/grandfather also has no objection, if his granddaughter resides with her father.

6. The investigation in Crime No.157/2023 shall be completed as expeditiously as possible. Since the grievance of the petitioner has been met, no further orders are required in the present Habeas Corpus Petition. Accordingly, the Habeas Corpus Petition stands closed.

(M.S.R.,J.) (M.N.K.,J.)
26.07.2023

NCC : Yes / No
Index : Yes / No
Lm

To

- 1.The Superintendent of Police,
O/o. Superintendent of Police,
Madurai District.
- 2.The Inspector of Police,
Sholavandan Police Station,
Sholavandan,
Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M.S.RAMESH,J.
and
M.NIRMAL KUMAR,J.

Lm

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