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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:**14.09.2023**

CORAM:

**THE HONOURABLE MR.JUSTICE S.S.SUNDAR
AND
THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY**

HCP(MD)NO.1134 of 2023

Perumal :Petitioner/Father of the Detenue

.VS.

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

2.The Inspector of Police,
Kalakad Police Station,
Tirunelveli District. : Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Habeas Corpus directing the respondents 1 and 2 to secure and produce the body or person of the detenue namely, Kavibala, daughter of Perumal, aged about 17 years, before this Court and hand over the custody to the Petitioner.

For Petitioner :M/s.S.Prabha

For Respondents :Mr.A.Thiruvadi Kumar
Additional Public Prosecutor



ORDER

WEB COPY (Order of the Court was made by S.S.SUNDAR,J)

This Habeas Corpus Petition is filed seeking issuance of a Writ of Habeas Corpus directing the respondents 1 and 2 to secure and produce the body or person of the detainee namely, Kavibala, daughter of Perumal, aged about 17 years, before this Court and hand over the custody to the Petitioner.

2.Heard the learned counsel appearing on either side and perused the materials placed before this Court.

3.The Petitioner, who is the father of the detainee, has stated that his minor daughter is missing from 16.08.2022 and an FIR has also been registered on the very next day. It appears that the Petitioner and his wife are living separately. The Petitioner states that his daughter, had taken permission from her mother to visit her father, had not come to the Petitioner. It is in the said circumstance, the wife of the Petitioner has also preferred a compliant before the second respondent on 17.08.2023. On hearing this, the Petitioner has approached this Court, with the above Habeas Corpus Petition.



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4. When the matter is taken up for hearing today, the respondents/Police has produced before this Court the minor girl/detenué. On enquiry, the girl has stated that she was staying with her mother for sometime and on her own left the house, as the parents were talking about her marriage. The parents have stated otherwise. The girl/detenué is now willing to go with the mother, who is present before this Court and who has also agreed to take her back. The father of the detenué has no objection for the mother to take custody of the minor girl and keep her daughter with her.

5. In such circumstances, recording the fact that the minor girl/detenué is secured and has now joined with her mother, this Habeas Corpus Petition is closed. No costs.

[S.S.S.R.,J.] [D.B.C,J.]
14.09.2023

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

vsn

To

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Tirunelveli District,
Tirunelveli.
- 2.The Inspector of Police,
Kalakad Police Station,
Tirunelveli District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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S.S.SUNDAR, J.
AND
D.BHARATHA CHAKRAVARTHY,J.

vsn

ORDER MADE IN
H.C.P(MD)No.1134 of 2023

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