



HCP(MD)No.2079 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 10.01.2023

CORAM

**THE HON'BLE DR.JUSTICE G.JAYACHANDRAN
AND
THE HON'BLE MR.JUSTICE SUNDER MOHAN**

H.C.P.(MD)No.2079 of 2022

M.Rajasekaran

.. Petitioner / Father of the
Detenu

Vs.

1.The Commissioner of Police,
Madurai City,
Madurai.

2.The Inspector of Police,
Mattuthavani Police Station,
Madurai City.

3.Karan

.. Respondents

Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus, directing the respondents No.1 and 2 to secure and produce the body or person of the detenu namely Santhiya, aged about 16 years before this Court and to handover the custody of the detenu to the petitioner.



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For Petitioner	:Mr.R.Senthilkumar
For R1 & R2	:Mr.R.Meenakshi Sundaram Additional Public Prosecutor
For R3	:No appearance

ORDER

DR. G.JAYACHANDRAN,J.
AND
SUNDER MOHAN,J.

The petitioner is the father of the minor girl, who went missing from 08.10.2022. A complaint was given to the respondent police and the same was registered in Crime No.388 of 2022 under the caption of “Girl Missing”. Later, the petitioner came to know that the third respondent viz., Karan, who is the distant relative, has kidnapped his daughter and the same was informed to the respondent police. But, there was no progress in the investigation, the present Habeas Corpus Petition is filed.

2.The police has formed a team and after tracking the bank transaction of the said Karan, the police traced the locality of the detenu and the third respondent near Oothukuli. On seeing the police, the third respondent fled away from the locality and the detenu was secured and produced before this Court today. The parents of the detenu also present before this Court.



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3.We enquired the detenu. From the enquiry, we come to know that the said Karan, who is the third respondent, is a relative to the petitioner and he has come to the adverse notice of the police and an accused in a murder case. The detenu had fallen in love with him and has eloped with him and stayed at Chennai. After 20 days, they shifted to Oothukuli, where they were working as labourers in a poultry. Since they want money, the third respondent has requested one of his friend to deposit some amount in his account and that was traced by the police. Thus, the minor girl has been secured. The police are at look out the third respondent to take appropriate action for kidnapping the minor girl from the lawful custody of the parents. The parents are ready to take the custody of the detenu and assured that they will take care of the detenu properly and make all arrangements for her to pursue her studies.

4.Recording the same, this Habeas Corpus Petition is dismissed, since the minor girl has been secured from the illegal custody of the third respondent.

(G.J.,J.) (S.M.,J.)
10.01.2023

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



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AND
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Ns

To

- 1.The Commissioner of Police,
Madurai City,
Madurai.
- 2.The Inspector of Police,
Mattuthavani Police Station,
Madurai City.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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