



WEB COPY



HCP.No.217 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.03.2024

CORAM :

THE HONOURABLE MR. JUSTICE M.S. RAMESH

AND

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

H.C.P.No.217 of 2024

Deivanai

... Petitioner

Vs.

1.The Superintendent of Police,
O/o. the Superintendent of Police,
Krishnagiri District.

2.The Inspector of Police,
All Woman Police Station,
Krishnagiri District.

3.The Superintendent of Police,
O/o. the Superintendent of Police,
Tirupathur District.

4.The Inspector of Police,
Taluk Police Station,
Tirupathur District.

5.The District Child Welfare Committee,
O/o. the District Collector Office,
Tirupathur District.



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6.Muthu

7.Lakshmi

8.Subash

9.Ananthi

10.Dheivanai

11.Tamilarasan

12.Monisha

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus, directing the respondents 1 to 4, to produce the person and body of Minor Divya (Age 14) before this Court from the illegal custody of 6 to 12 respondents and hand over her to the petitioner.

For Petitioner	: Mr.G.Munuraj
For R1 to R4	: Mr.E.Raj Thilak, Additional Public Prosecutor assisted by Mr.C. Aravind
For R5 to R7	: No appearance
For R8 to R11	: Mr.T.K.Ramesh



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ORDER

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

Complaining that the petitioner's minor daughter has been illegally detained in the custody of the respondents 6 to 12, the present Habeas Corpus Petition has been filed.

2. Incidentally, the petitioner's complaint in this regard was registered in Crime No.61 of 2024 on 01.02.2024 under the caption 'Girl Missing' by the fourth respondent Police.

3. Pending the Habeas Corpus Petition, the fourth respondent herein had produced the petitioner's minor daughter before us. We had interacted with the minor girl and she told us that she voluntarily went to her grandmother's house as she did not prefer to stay with her mother.

4. The fourth respondent has also filed a status report stating that they had recorded the statement of the minor girl under Section 161 Cr.P.C., as well as under Section 164 Cr.P.C. and that the investigation is in progress.



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5. The minor girl had also expressed her willingness to go with the mother and be in her care and custody. As such, the grievance of the petitioner herein has been redressed and hence, no further orders are required in the present Habeas Corpus Petition. The fourth respondent herein shall expedite the investigation in Crime No.61 of 2024 and file a final report as expeditiously as possible.

6. Accordingly, this Habeas Corpus Petition stands closed.

[M.S.R., J]

[S.M., J]

27.03.2024

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes/No

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To

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O/o. the Superintendent of Police,
Krishnagiri District.

2.The Inspector of Police,
All Woman Police Station,
Krishnagiri District.

3.The Superintendent of Police,
O/o. the Superintendent of Police,
Tirupathur District.

4.The Inspector of Police,
Taluk Police Station,
Tirupathur District.

5.The District Child Welfare Committee,
O/o. the District Collector Office,
Tirupathur District.

6.The Public Prosecutor,
High Court, Madras.



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M.S.RAMESH, J.
and
SUNDER MOHAN, J.

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