



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 23.04.2024

CORAM

THE HONOURABLE MRS. JUSTICE J.NISHA BANU

AND

THE HONOURABLE MR. JUSTICE P.DHANABAL

HCP.No.719 of 2024

S.Mariammal

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Petitioner

Versus

State rep by.

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

2.The State rep.by

The Inspector of Police,
Modakurichi Police Station,
Erode District.

(Cr.No.52/2024)

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Respondents

Prayer:- Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Habeas Corpus directing the 1st respondent to produce the body of the detenu namely Navaneetha aged 16 years 8 months daughter of Mariammal and set her at liberty before this Court.

For Petitioner : Mr.D.Raghu

For Respondents : Mr.Babu Muthu
Additional Public Prosecutor

ORDER

[Order of the Court was made by P.DHANABAL.,J.]

The petitioner is the mother of the detenue, namely Navaneetha, aged about 16 years (D.O.B.25.07.2007). Alleging the detenue was found missing from 12.03.2024, onwards, a complaint was given by her mother in this regard, which has resulted in registration of a case in Cr.No.52 of 2024, for "Girl Missing". The petitioner apprehending about the safety and well being of her minor daughter, came forward to file this Habeas Corpus Petition.

2. The Habeas Corpus Petition was entertained on 23.04.2024 and it was posted today for filing the Status Report.

3. Today when the matter is called, the detenue is produced before this Court and this Court has also enquired the detenue, who, in turn would state that on her own volition, she went with her lover and both of them had resided at Thanjavur and now she is willing to go back with her mother.



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4. The mother of the detainee, who is present before this Court, was also enquired and she also say that she will take care of the well being and future career of her daughter.

5. The learned Additional Public Prosecutor appearing for the State would submit that detainee had been subjected to medical examination.

6. In the light of the above fact that the minor detainee has been secured and she also expresses her willingness to go with her mother, who is present before this Court, her custody is restored to her mother.

7. The Habeas Corpus Petition is disposed of, with the above observation.

[J.N.B., J] [P.D.B., J]
23.04.2024

Internet : Yes/No
Index :Yes/No
sk

Note: Issue order copy today.



J.NISHA BANU, J.

AND

P.DHANABAL, J.

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To

- 1.The Superintendent of Police,
Erode District, Erode.
- 2.The Inspector of Police,
Modakurichi Police Station,
Erode District.
- 3.The Public Prosecutor
High Court, Madras.

HCP.No.719 of 2024

23.04.2024