



H.C.P.No.2422 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.01.2024

CORAM :

THE HONOURABLE MR. JUSTICE M.S.RAMESH

AND

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

H.C.P.No.2422 of 2023

P. Manikandan

... Petitioner

Vs.

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

2. The Inspector of Police,
Mangalampet Police Station,
Cuddalore District.

3. Ajaidevan

... Respondents

Prayer : Habeas Corpus Petition filed under Article 226 of the Constitution of India praying for the issuance of an order or orders or directions in the nature of Writ of Habeas Corpus directing the 2nd respondent to produce the petitioner's minor daughter Indumathi from the illegal custody of the 3rd respondent to the petitioner and set her at liberty.

For Petitioner	:	Mr.S.P. Harikrishnan
For R1 &R2	:	Mr.E.Raj Thilak
		Additional Public Prosecutor
		Assisted by Mr.Aravind, C.

ORDER

Page 1 of 4



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H.C.P.No.2422 of 2023

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

The petitioner's minor daughter, born on 02.04.2006, had gone missing from his house on 18.11.2023. His complaint to the 2nd respondent herein in this regard was registered in Crime No.281 of 2023 for an offence under Section 366A of the Indian Penal Code, in which the 3rd respondent herein was shown as the accused. The present Habeas Corpus Petition is filed to secure the petitioner's daughter and set her at liberty.

2. When the matter is taken up for hearing today, the 2nd respondent herein had secured the petitioner's minor daughter and produced her before us. We have interacted with her as well as the petitioner herein. The girl stated that she had voluntarily left the petitioner's house; that she does not intend to reconcile with her parents and that she would stay in a children's home. The petitioner herein also submitted that if his daughter is secured at a home in Cuddalore, he would visit her frequently.



H.C.P.No.2422 of 2023

3. Though the petitioner's daughter is a minor, we have taken into consideration that she has crossed 17 years and was able to take a conscious decision with regard to her place of stay. In this background, the 2nd respondent is called upon to admit the petitioner's daughter in Matt home, Vanarapalayam, Cuddalore District, forthwith. The petitioner is at liberty to visit his daughter at the home.

With the above directions, the Habeas Corpus Petition stands closed.

[M.S.R., J] [S.M., J]
22.01.2024

bga

Internet : Yes

Index : Yes / No

Neutral Citation : Yes / No

To

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