



H.C.P.(MD) No.666 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.06.2024

CORAM:

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA
and
THE HONOURABLE MR.JUSTICE K.RAJASEKAR

H.C.P.(MD) No.666 of 2024

P.Prabhu

... Petitioner

-VS-

1.The Commissioner of Police
Office of Commissioner of Police
Alagarkovil Street
Madurai City-625 002

2.The Inspector of Police
Anna Nagar Police Station
Madurai City
(Crime No.363 of 2024)

3.Ram Ganesh

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus directing the respondents 1 and 2 to produce the body or the person of the petitioner's minor daughter namely XXXX, daughter of P.Prabhu, aged about 17 years, before this Court and hand over the custody to the petitioner.



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For Petitioner : Mr.R.Karunanidhi

For Respondents : Mr.RMS.Sethuraman
Additional Public Prosecutor for R1 & R2

ORDER

[Order of the Court was made by A.D.JAGADISH CHANDIRA, J.]

The petitioner has filed this habeas corpus petition seeking a direction to the respondents 1 and 2 to secure his daughter, namely, XXXX, aged about 17 years, produce her before this Court and set her at liberty.

2. The case of the petitioner is that his minor daughter XXXX was born on 05.12.2006 and she was found missing from 27.05.2024. Later, during enquiry, he came to know that the third respondent had kidnapped his minor daughter. Therefore, he lodged a complaint before the second respondent and a case in Crime No.363 of 2024 came to be registered on 26.05.2024 for girl missing. However, no action was taken thereafter to secure the detenue. Hence, the petitioner has filed this habeas corpus petition.

3. Notice to the respondents was ordered on 10.06.2024. Pursuant to the same, the respondent – Police have secured the detenue and



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WEB COPY produced her before this Court today.

4. Learned Additional Public Prosecutor appearing for the respondents 1 and 2, on instructions, submitted that based on the complaint given by the petitioner a case in Crime No.363 of 2024 was registered for girl missing and during investigation, the detainee and the third respondent were traced at Tiruppur and it was found that the third respondent had sexually abused her and hence, steps are being taken to alter the case.

5. On enquiry, the detainee submitted that the third respondent is known to her and she had gone with him on her own volition and thereafter, they were traced at Tiruppur. She expressed her willingness to go along with her parents, who are also present before this Court.

6. In view of the above submission of the detainee, she is allowed to go along with her parents and no further adjudication is required in this habeas corpus petition and the same is, therefore, closed.

[A.D.J.C., J.]

[K.R.S., J.]

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



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To:

- 1.The Commissioner of Police,
Office of Commissioner of Police,
Alagarkovil Street,
Madurai City-625 002.
- 2.The Inspector of Police,
Anna Nagar Police Station,
Madurai City.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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A.D.JAGADISH CHANDIRA, J.
AND
K.RAJASEKAR, J.

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