



H.C.P.(MD) No.821 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.07.2024

CORAM:

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

H.C.P.(MD) No.821 of 2024

Nataraja

... Petitioner

-VS-

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

2.The Inspector of Police,
Jegathapattinam Police Station,
Pudukkottai District.

3.Maruthu

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus directing the respondents to produce the body or person of petitioner's minor daughter the detenu Gurulakshanya, D/o.Nataraja, aged about 16 years, before this Court and handed over the custody to the petitioner.



H.C.P.(MD) No.821 of 2024

WEB COPY

For Petitioner : Mr.M.Boopathipandiyan
For R1 & R2 : Mr.R.Meenakshi Sundaram
Additional Public Prosecutor

ORDER

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

This Habeas Corpus Petition has been filed by the father of the detenu seeking to produce the alleged detenu namely Minor.Gurulakshanya, D/o.Nataraja, aged about 16 years, before this Court and hand over the custody to the petitioner.

2. The case of the petitioner is that his minor daughter xxxx, aged about 16 years, who was studying 12th standard, was found missing from 01.07.2024. During the enquiry, the petitioner and his family members came to know that the third respondent, who is also residing in the same village, has threatened his minor daughter to marry him and the petitioner had searched her daughter in the third respondent's house and they were found missing. Hence, the petitioner has given a complaint to the second respondent. Based on the said



H.C.P.(MD) No.821 of 2024

WEB COMPLAINT, a case in Cr.No.70 of 2024 was registered for 'Girl Missing' on 02.07.2024. Further, since no action has been taken by the respondent police, the petitioner has filed this habeas corpus petition.

3. When the matter is taken up for hearing today, the learned Additional Public Prosecutor appearing for the respondents 1 & 2 would submit that based on the complaint given by the petitioner, a case in Cr.No.70 of 2024 was registered for 'Girl Missing'. During the course of investigation, it came to light that the third respondent had abducted the missing person and thereafter, the petitioner's daughter and the third respondent were traced at Mimisal Bus Stop and they were secured and the case was altered into Sections 87 BNS r/w 5(1) r/w 6(1) of POCSO Amendment Act. Further, the girl was produced before the Child Welfare Committee, Pudukottai. Before the Child Welfare Committee, the missing girl has voluntarily stated her willingness to go along with her parents and the Child Welfare Committee has handed over the custody of the child to the petitioner.

4. The petitioner and his wife are present before this Court.



H.C.P.(MD) No.821 of 2024

WEB COPY

5. Finding that the girl has been secured and she was produced before the Child Welfare Committee and after getting orders from the Child Welfare Committee, the girl is now living with her parents, this habeas corpus petition is closed.

[A.D.J.C., J.] [K.R.S., J.]
31.07.2024

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

To:

- 1.The Superintendent of Police,
Pudukkottai District,
Pudukkottai.
- 2.The Inspector of Police,
Jegathapattinam Police Station,
Pudukkottai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



H.C.P.(MD) No.821 of 2024

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

am

H.C.P.(MD) No.821 of 2024

31.07.2024