



H.C.P.(MD).No.944 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 19.02.2024

CORAM

**THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN
AND
THE HON'BLE MR.JUSTICE C.KUMARAPPAN**

H.C.P.(MD).No.944 of 2023

Arumugam

.. Petitioner/Father of the Detenue

Vs.

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

2.The Inspector of Police,
All Women Police Station,
Kadambur,
Thoothukudi District.
(Crime No.3 of 2023)

3.The Inspector of Police,
All Women Police Station,
Palayamkottai,
Tirunelveli District.
(Crime No.4 of 2023)

4.Raja Stephen

.. Respondents



H.C.P.(MD).No.944 of 2023

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 person or body of the detainee namely Mookambigai @ Mukila, D/o.Arumugam, aged about 17 years before this Court and hand over minor daughter namely Mookambigai @ Mukila to the petitioner.

For Petitioner : Mr.S.Muthumalairaja
For R-1 to R-3 : Mr.RMS.Sethuraman
Additional Public Prosecutor

ORDER

DR.G.JAYACHANDRAN,J.
and
C.KUMARAPPAN,J.

The petitioner, Arumugam, father of Mookambigai @ Mukila (D.O.B – 07.02.2006), who was minor at the time of filing of the Habeas Corpus Petition, being aggrieved that his daughter has been enticed by the fourth respondent and taken away from his custody, has filed this Habeas Corpus Petition and the same is under consideration before this Court for about eight months.



H.C.P.(MD).No.944 of 2023

2. Pending Habeas Corpus Petition, the minor daughter of the petitioner has attained majority. She was secured and was given custody to St.Patricks Home, Madurai and till date, she is staying there.

3. Today, the girl as well as her parents are present before this Court. The petitioner's daughter expressed her wishes to join the fourth respondent, Raja Stephen. Since the girl has attained majority and her wish has to be taken note of, this Court finds that nothing survives in this Habeas Corpus Petition filed by the father. Hence, the Habeas Corpus Petition is closed being satisfied that as on date, the girl is not in any illegal custody.

(G.J.,J.) (C.K.,J.)
19.02.2024

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



H.C.P.(MD).No.944 of 2023

To

1. The Superintendent of Police,
Thoothukudi,
Thoothukudi District.
2. The Inspector of Police,
All Women Police Station,
Kadambur,
Thoothukudi District.
3. The Inspector of Police,
All Women Police Station,
Palayamkottai,
Tirunelveli District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



H.C.P.(MD).No.944 of 2023

DR.G.JAYACHANDRAN,J.
and
C.KUMARAPPAN,J.

Lm

H.C.P.(MD).No.944 of 2023

19.02.2024