



HCP(MD)No.270 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 29.04.2025

CORAM

THE HONOURABLE **DR.JUSTICE G.JAYACHANDRAN**

AND

THE HONOURABLE **MS.JUSTICE R.POORNIMA**

H.C.P.(MD)No.270 of 2025

K.Rajankam

.. Petitioner /Father
of the detainee

Vs.

1.The Superintendent of Police,
Madurai District.

2.The Inspector of Police,
Alanganallur Police Station,
Madurai District.

3.Harish

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a ***Writ of Habeas Corpus***, directing the respondents No.1 & 2 to secure the body or person of the detainee namely, Dhurka Devi D/o.K.Rajankam, aged about 17 years and to handover the custody of the detainee to the petitioner.



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For Petitioner : Mr.H.Mohammed Farook

For Respondents : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor for R1 & R2

Mr.Santhanam Rajeshkumar, for R-3

ORDER

DR.G.JAYACHANDRAN, J.

AND

R.POORNIMA, J.

The minor daughter of the petitioner had eloped with the 3rd respondent. Hence the petitioner lodged a complaint against the 3rd respondent at the Alanganallur police station, which was registered in Crime No. 441 of 2024 dated 05.11.2024. While the case under the POCSO Act was pending, the girl was traced and restored to the custody of the petitioner. However, she stayed only for a few days. Again on 20.12.2024, she went missing with some jewelry and cash. Consequently, a second complaint was filed, which was registered as Crime No.475 of 2024 dated 21.12.2024. Thereafter, this Habeas Corpus Petition is filed to secure the petitioner's daughter, who is alleged to have been kidnapped by the 3rd respondent.



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2. The respondent police secured the daughter of the petitioner

and produced her before this Court. She claims that she had attained the age of majority, has married the 3rd respondent and wishes to live with him. Nevertheless, since the crime of kidnapping occurred prior to her attaining majority, the provisions of POCSO Act consequently are attracted. It is therefore, open for the respondent police to act upon the complaint under the appropriate provisions of law and proceed accordingly.

3. With the observations, this Habeas Corpus Petition stands dismissed.

[G.J., J.] & [R.P., J.]
29.04.2025

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



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- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
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