



H.C.P.(MD) No.1484 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.06.2025

CORAM:

**THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA
and
THE HONOURABLE MS.JUSTICE R. POORNIMA**

H.C.P.(MD) No.1484 of 2024

Sownthiram

... Petitioner

-vs-

1.The Superintendent of Police
Thanjavur District

2. The Inspector of Police
Peravurani Police Station
Thanjavur District

3.Sathishwaran

... 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 detainee Elakkiya, D/o.Shanmugavel aged about 17years before the Court and hand over her custody to the petitioner.

For Petitioner : Mr.B.Arun

For Respondents : Mr.B.Nambiselvam
No.1 and 2 Additional Public Prosecutor



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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 produce the body or detenue Elakkiya, D/o.Shanmugavel aged about 17years before the Court and hand over her custody to the petitioner.

2. Alleging that the minor daughter of the petitioner (xxxx) aged about 17 years was kidnapped by the third respondent and despite the case registered by the second respondent in Crime No.258 of 2024 dated 16.10.2024, no action was taken, hence the present petition has been filed by the petitioner/mother.

3. Pursuant to the issuance of notice the victim was produced by the second respondent before this Court .



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4. The learned Additional Public Prosecutor submitted that the third respondent had abducted the minor victim and based on which a case has been registered in Crime No.258 of 2024 and during the course of investigation the minor victim was secured from the custody of the third respondent at Manamadurai bus stand and the third respondent has been arrested. He would further submit that depending upon the willingness of the victim she will be taken to Home.

5. We enquired the victim who is aged about 17 years. She submitted that she was in love with the third respondent and since her mother/petitioner harassed her she had gone along with the third respondent and now she is pregnant by seven months and she expressed her unwillingness to go along with her mother/petitioner.

6. In view of the same, the Habeus Corpus Petition stands closed. The third respondent is directed to keep the child at Annai Sathya Child Home, Medical College Road, Membalam, Thanjavur District and the authorities are directed to give proper medical care to the victim. The second respondent shall



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continue with the investigation in Crime No.258 of 2024 in accordance with law.

[A.D.J.C., J.]
04.06.2025

[R.P., J.]

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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Note: Issue order copy on 04.06.2025

To:

- 1.The Superintendent of Police
Thanjavur District
2. The Inspector of Police
Peravurani Police Station
Thanjavur District
3. The Officer-in- Charge
Annai Sathya Child Home,
Medical College Road, Membalam, Thanjavur District
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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A.D.JAGADISH CHANDIRA, J.
AND
R.POORNIMA, J.

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