



HCP.(MD)No.107 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.02.2026

CORAM:

**THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN
AND
THE HONOURABLE MS.JUSTICE R.POORNIMA**

H.C.P(MD)No.107 of 2026

Malar

... Petitioner

Vs.

1.The Director General of Police
Kamarajar Road,
Kailasapuram,
Chennai.

2.The Commissioner of Police
Office of Commissioner of Police
Madurai.

3.The Inspector of Police
Tallakulam Police Station
Madurai.

4.Muthu Ayyanar @ Aji

... Respondents



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PRAAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, directing the respondents 1 to 3 to produce the body or person of the detenue, namely, Vairalatha, aged about 15 years, who is granddaughter of the petitioner before this Court and hand over the detenue to the custody of the petitioner.

For Petitioner : Mr.S.Muruga Ganesan
For Respondents : Mr.R.M.Anbunithi – for R1 to R3
Additional Public Prosecutor

ORDER

(Order of the Court was made by **G.K.ILANTHIRAIYAN, J.**)

This Habeas Corpus Petition is filed to direct the respondents 1 to 3 to produce the detenu, namely, Vairalatha, aged about 15 years, who is granddaughter of the petitioner before this Court and hand over the detenue to the custody of the petitioner.

2. The petitioner is the grandmother of the detenu by name, Vairalatha, who is aged about 15 years. The petitioner's son got married one Lakshmi and they gave birth to a minor girl. Thereafter, her son died and the petitioner's daughter-in-law subjected the minor girl for sexual activities. Therefore, the petitioner lodged a complaint as against her own daughter-in-law and others. Now after registration of FIR and



they are facing trial under POCSO Act. While pending trial, the minor girl was illegally detained by the petitioner's daughter-in-law, who is one of the accused in POCSO case. The 4th respondent abducted her forcibly to his custody. Therefore, the petitioner lodged a complaint before the 3rd respondent Police and the FIR was registered in Crime No. 54 of 2026 under “girl missing.”

3. On investigation, the third respondent found that the victim minor girl is under illegal detention of 4th respondent and her own mother. She was secured and produced before this Court today.

4. We enquired the minor girl. She deposed that her mother involved her in sexual activities along with others. Further, in order to escape from the clutches of law, while pending trial she has been illegally detained, through 4th respondent, by her mother. The minor girl is ready and willing to go and live with her grandmother.

5. The learned Additional Public Prosecutor appearing for the respondents 1 to 3 submitted that thereafter, the offence was also altered into POCSO Act as against the accused. After alteration of offence into POCSO Act, the FIR in Crime No.54 of 2026 is now



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transferred to the file of the Inspector of Police, All Women Police Station, Tallakulam, Madurai.

6. In view of the above, the minor girl is handed over to the custody of the petitioner.

7. Accordingly, the Habeas Corpus Petition is disposed of. The Inspector of Police, All Women Police Station, Tallakulam, Madurai, is directed to complete the investigation and file a final report within a period of 16 weeks from the date of receipt of a copy of this order.

**[G.K.I.J.,] & [R.P.J.,]
19.02.2026**

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

rm



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To

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Kailasapuram,
Chennai.

2.The Commissioner of Police
Office of Commissioner of Police
Madurai.

3.The Inspector of Police
Tallakulam Police Station
Madurai.

4.The Inspector of Police
All Women Police Station
Tallakulam,
Madurai.

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



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AND
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