



H.C.P.(MD)No.1071 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.01.2025

CORAM:

THE HONOURABLE MR JUSTICE G.K. ILANTHIRAIYAN

AND

THE HONOURABLE MS.JUSTICE R. POORNIMA

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Nagaraj

... Petitioner/
Father of the Detenu

-VS-

State of Tamilnadu rep. by
1.The Superintendent of Police,
Theni District.

2.The Inspector of Police,
Chinnamanur Police Station,
Theni District.
Cr.No.351 of 2025.

3.Immanuvel

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus, directing the respondents to produce the person or body of the petitioner's daughter namely Monisha, D/o.Nagaraj, female, aged about 17 years before this Court forthwith and handed over the detenu to the petitioner.



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For Petitioner : Mr.A.Uthaya Kumar
For Respondents : Mr.R.M.Anbunithi
1 & 2 Additional Public Prosecutor

ORDER

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

This Habeas Corpus Petition has been filed for a direction directing the respondents 1 & 2 to secure and produce the detenu before this Court.

2. The petitioner is the father of the detenu by name Monisha. Earlier, the detenu while she was in minor, she was missing, therefore, the petitioner lodged a complaint before the second respondent and the same has been registered in Cr.No.253 of 2021. During the course of investigation, it was found that the minor girl eloped with the third respondent and thereafter, she was secured and the case has been registered under POCSO Act. After completion of investigation, the second respondent filed a final report before the Additional Mahila Court, Theni and the same has been taken cognizance in Spl.S.C.No.6 of 2023. During rial, the minor girl and also the petitioner herein turned



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hostile before the trial Court and therefore, the said case was ended in acquittal. While being so, now the minor girl once again eloped with the third respondent and married the third respondent. Therefore, the petitioner lodged a complaint before the second respondent and the same has been registered in Cr.No.351 of 2025 under 'Girl Missing'. During investigation, the second respondent found that the detenu now attained majority and also married the third respondent. The second respondent produced the detenu before this Court. We enquired the detenu. She deposed that she married the third respondent and she doesn't want to go with the petitioner. Further, she also deposed that she is not under illegal detention of anybody.

3.In view of the above, this Habeas Corpus Petition is dismissed.

[G.K.I., J.] [R.P., J.]
06.01.2025

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



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



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G.K. ILANTHIRAIYAN,J.
AND
R. POORNIMA,J.

am

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