

IN THE COURT OF JUDICIAL MAGISTRATE No. V, MADURAI

Twenty Eighth Day of May, Two Thousand Twenty

Present: E. Pravin Kumar, B.A.,B.L.,

J.M. V, Madurai

e- Crmp 19/2020

in

e-Crmp 2 /2020

Isakkiyammal

W/o. Karuppaiya

.... Petitioner

Vs

1. State rep. by Sub Inspector of police,

Karimedu Police Station

2. Superintendent,

Government Vigilance Home

Madurai

.... Respondents

29-05-2020

Order

1. This petition is being filed U/sec. 362 Crpc to amend the typographical error in order passed dated 11-05-2020 for the custody of the victim girl u/sec. 98 Crpc.

2) It is the contention of the petitioner that the victim girl Muthumari in Cr. No. 242/2020 is her daughter and the girl was placed in Government Vigilance Home, Madurai. But in the petition filed by this petitioner, seeking the girl's custody the name of the home was wrongly mentioned as

Government Observation Home, Madurai. Basing on it the order was passed mentioning the home as Government observation Home, Madurai. Hence this petition being filed praying to amend the typographical error and rendering justice as the girl is being help up in the home even after orders being passed.

3) On considering the above facts and on perusal of records this court is satisfied that the above error is only a typographical error. Due to that error the girl is being held up in the home. Hence on considering all the above facts and in the interest of justice, the original order dated 11-05-2020 is amended regarding the typographical error alone.

4) Hence the word Government Vigilance Home is substituted for the words Government Observation Home in the original order wherever necessary. The amended order is also attached herewith.

(S/d) E. Pravin Kumar
Judicial Magistrate No. V,
Madurai

Amended Order Copy

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e- Crmp 2 /2020

Isakkiyammal

W/o. Karuppaiya

.... Petitioner

Vs

1. State rep. by Sub Inspector of police,

Karimedu Police Station

2. Superintendent,

Government Vigilance Home

Madurai

.... Respondents

11-05-2020

1) This petition is filed u/sec. 98 Crpc, seeking custody of victim girl kept at **Government Vigilance Home Madurai**.

2) The victim girl Muthumari D/o. Karuppaiyah, aged 21 years, was placed in the custody of **Government Vigilance home** on 10-03-2020 in Cr. No. 242/2020 by order of this court. Now the petitioner Isakkiyammal Wo. Karuppaiya has filed this custody petition, stating that she is the mother of the said victim girl and being the natural guardian, she is seeking for the custody of the girl.

3) Both the parties appeared through video conference and they were questioned. The petitioner stated that she is the mother of victim girl and is willing to take custody of the girl. The victim girl also stated that the petitioner is her mother and she is willing to go with her mother. Both have also filed affidavit stating the above facts as true and also produced documents of identity and proof. The police has also filed their reply stating that with proper records the victim girl shall be sent along with the petitioner.

4) Considering all the facts and circumstances of the petition and on perusal of the records, this court is satisfied to send the victim girl under the custody of the petitioner. Further the petitioner shall take proper care of the girl, avoiding her from facing any social danger as in the above crime number. Further the petitioner and the victim girl shall co-operate with the investigation of the case. Further this court states that appropriate action would be taken if any fact stated by the petitioner in her affidavit, is found to be false, in future.

5) Thus the Superintendent, **Government Vigilance Home**, Madurai is ordered to place the victim girl under the custody of the petitioner. The superintendent shall check the ID proof of the petitioner before the girl is placed under the custody of the petitioner. Thus this petition is allowed.

(S/d) E. Pravin Kumar
Judicial Magistrate No. V,
Madurai

Copy to

1. Superintendent,
Government Vigilance Home, Madurai.