

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.2.2015

Coram:

THE HONOURABLE MR.JUSTICE M.JAICHANDREN
and
THE HONOURABLE MRS.JUSTICE ARUNA JAGADEESAN

H.C.P.No.1615 of 2014

K.Govindhammal

.. petitioner

vs.

1. The Inspector of Police
Ambur Town Police Station
Vellore District

2. Sankar
s/o.Kanagaraj

3. Kanagaraj
s/o.Koothan

both residing in
Aasanampattu Road
Kambikollai, Ambur,
Vellore District

4. Usha
w/o.Muthu
Parayampattu Village
Thiruvannamalai Taluk and District

(Respondents 3 to 5 were given up)

5. Pushpa
w/o.Kothandam
Kattamedu, Ambur
Vellore District

.. Respondents

H.C.P. has been filed for a writ of Habeas Corpus directing the first respondent herein to produce the petitioner's daughter K.Divya, aged 14 years, who is in the illegal custody of the respondents 2 to 5 herein before this Court and set her at liberty.

For petitioner : Mr.S.V.Karthikeyan

For Respondent : Mr.A.N.Thambi Durai
Addl. Public Prosecutor
(Crl.Side)

O R D E R

This Habeas Corpus Petition has been filed to direct the first respondent to produce the detainee, namely, K.Divya, aged 14 years, before this Court and to set her at liberty.

2. The petitioner is the mother of the detainee. It has been stated in the petition that since the detainee was missing, the petitioner gave a complaint on 10.3.2014, to the first respondent Police. Since no effective steps had been taken by the first respondent Police, the petitioner had filed the present Habeas Corpus Petition.

3. On 16.2.2015, when the matter was taken up for hearing, the detainee was produced before us by the first respondent Police. On enquiry, the detainee was not willing to go along with her parents. Therefore, the detainee was directed to be kept in the Government Observation Home for Children, Purasawalkam High Road, Kellys, Chennai-16. Further, the Inspector of Police, B4, High Court Police, Station, Chennai, was also directed to produce the detainee before this Court on 24.2.2015.

4. Today, when the matter was taken up for hearing, the detainee was produced before us. The petitioner is also present. The detainee expressed her willingness to go with her mother, the petitioner herein.

5. In such circumstances, since the detainee is a minor and as the detainee expressed her willingness to go with her mother, the custody of the detainee is handed over to the mother of the detainee, namely, K.Govindhammal, who is the petitioner herein. The Habeas Corpus Petition is ordered accordingly.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To:

1. The Inspector of Police
Ambur Town Police Station
Vellore District

2.The Public Prosecutor
High Court, Madras.

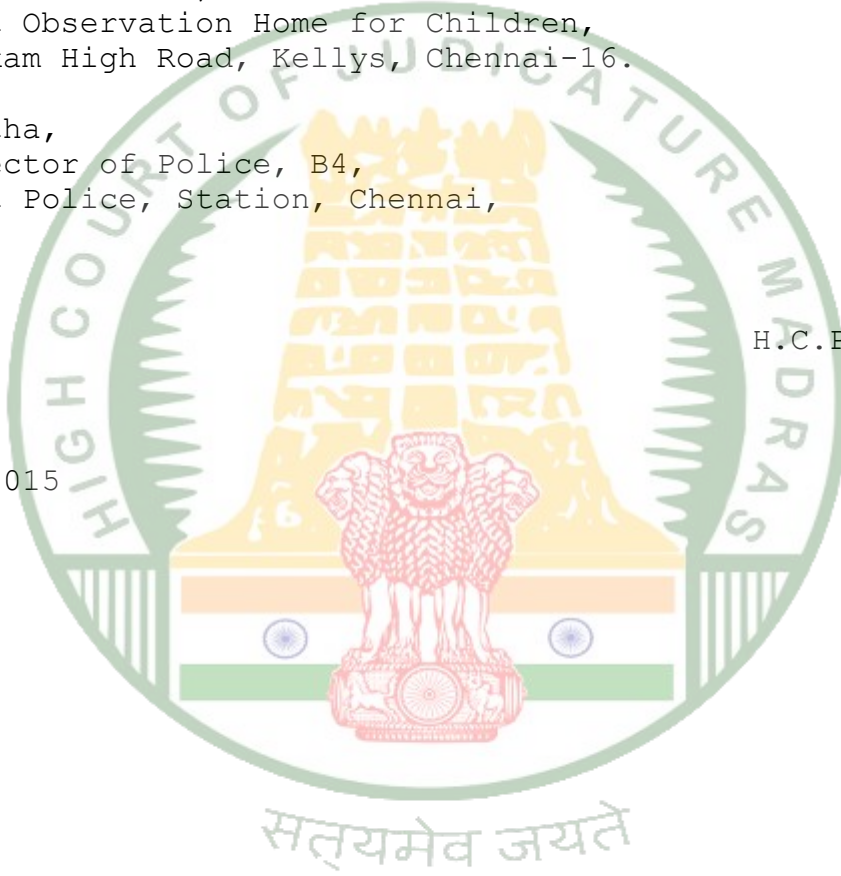
Copy to:

1.The Superintendent,
Government Observation Home for Children,
Purasawalkam High Road, Kellys, Chennai-16.

2.Mrs.Geetha,
The Inspector of Police, B4,
High Court Police, Station, Chennai,

H.C.P.No.1615 of 2014

MG (CO)
PMK.26.2.2015



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