



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Special Original Jurisdiction)

Thursday, the Twenty Fifth day of June Two Thousand Fifteen

PRESENT

The Hon`ble Mr.Justice A.SELVAM
and
The Hon`ble Mr Justice V.S.RAVI

MP (MD) No.2 of 2015 in HCP (MD) No.298 of 2015

K. SAMINATHAN

... PETITIONER/PETITIONER

Vs

1 THE SUPERINTENDENT OF POLICE
THANJAVUR DISTRICT, THANJAVUR.

2 THE INSPECTOR OF POLICE
PAPANASAM POLICE STATION,
THANJAVUR DISTRICT.

3 M. MUTHUKUMARAN
S/O. MUTHU,
THIRUKARUKAVUR,
PAPANASAM TALUK, THANJAVUR

... RESPONDENTS/RESPONDENTS

This Petition filed under article 226 of the constitution of India, to grant an order of direction directing the Vidiyal Home, Muthupatti to produce petitioner's daughter namely Sangeetha, aged 17 years before this Hon'ble Court and handover the custody of the petitioner.

Prayer in Habeas Corpus Petition(MD) No. 298/2015 :

Petition filed under Article 226 of the Constitution of India, to issue a Writ of order or direction in the nature of Writ of Habeas Corpus, directing the respondents 1 and 2 to secure the detenu and produce the person or body of the detenu viz., Minor S.Sangeetha, D/o.Saminathan aged 17 years before this Hon'ble Court, illegally detained by the 3rd Respondent and handover the custody of the detenu to the petitioner forthwith and pass such further or other orders as this Hon'ble Court.

ORDER : This petition is coming on for hearing on this day, upon perusing the petition and the affidavit and order of this Court dated 16.04.2015 and 28.04.2015 and upon hearing the arguments of M/S.C.PRAKASAM, Advocate for the petitioner and of MR.T.MOHAN, Additional Public Prosecutor on behalf of the Respondents 1 and 2, on behalf of the state 3rd Respondent not appearing either in person or by Advocate, this court made the following order:-



(order of the Court was made by A.SELVAM.J)

This petition has been filed praying to permit the detenu by name Sangeetha, aged 17 years, who has been lodged in Vidiyal Home, as per order dated 16.04.2015, to go with the petitioner/ her father.

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2. The petitioner is present and he has been identified by his counsel.

3. The Second respondent viz., Inspector of Police, Papanasam Police Station, Thanjavur District has produced the detenu and she has been identified by the petitioner/her father. She expressed her willingness to go with the petitioner/her father.

4. Considering the aforesaid factual circumstances, this petition can be allowed.

5. In fine, this petition is allowed and the detenu is permitted to go along with the petitioner.

Sd/-
Assistant Registrar(CO)

/True copy/

Sub Assistant Registrar

To

- 1 THE SUPERINTENDENT OF POLICE, THANJAVUR DISTRICT, THANJAVUR.
- 2 THE INSPECTOR OF POLICE, PAPANASAM POLICE STATION,
THANJAVUR DISTRICT.
3. THE OFFICER IN-CHARGE, VIDIYAL HOME, MUTHUPATTI, MADURAI.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

TS/26.06.2015/2P -5C

ORDER DATED: 25.06.2015

ORDER

MP (MD) NO.2 OF 2015
IN
HCP (MD) NO.298 OF 2015

Giving direction, etc.,
as stated within.