

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.02.2016

Coram:

THE HON'BLE MR.JUSTICE S.NAGAMUTHU
and
THE HON'BLE MR.JUSTICE M.SATHYANARAYANAN

H.C.P.No.2798 of 2015

Uma

... Petitioner

Vs.

1. The Inspector of Police,
D.4, R.K.Pettai Police Station,
Tiruvallur District.
2. The Superintendent of Police
Tiruvallur District
at Tiruvallur.
3. Ranjith

... Respondents

Habeas Corpus Petition has been filed under Article 226 of the Constitution of India for a Writ of Habeas Corpus, directing the respondents 1 and 2 to produce the body and person of the detainee, by name, Nisha, D/o.Masilamani, aged about 17 years, before this Court and to set her at liberty and to restore her to the custody of the petitioner, who is alleged to be under the illegal custody of the third respondent.

For petitioner : Mr.G.P.Sivakumar

For respondents : Mr.V.M.R.Rajentran,
Additional Public Prosecutor

O R D E R

(Order of the Court was made by S.NAGAMUTHU,J)

The petitioner is the mother of one T.Nisha, aged about 17 years. Her date of birth is 14.06.1999. According to the petitioner, T.Nisha (hereinafter referred to as the "detenue") was found missing from 28.08.2015 onwards. Suspecting that the 3rd respondent would have detained her illegally, the petitioner has filed the present Habeas Corpus Petition.

2. Today, when the matter was taken up, the 1st respondent

produced the minor girl T.Nisha before this Court. The petitioner was also present before this Court along with her counsel. On enquiry, T.Nisha told this Court that she was not kidnapped by anybody. She further stated that on her own accord, she went to Bangalore and stayed at the house of her aunt. She further submitted that she is now willing to go with her mother and be under her care and custody. The said statement is recorded.

3. In the result, this Habeas Corpus Petition is disposed of, allowing the petitioner to take custody of the minor girl T.Nisha and to take care of her and to maintain her.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

paa

To

1. The Inspector of Police,
D.4, R.K.Pettai Police Station,
Tiruvallur District.
2. The Superintendent of Police
Tiruvallur District
at Tiruvallur.
3. The Public Prosecutor,
High Court, Madras.

+ 1 cc to Mr.G.P.Sivakumar, Advocate Sr 10606 (16/3/16)

H.C.P.No.2798 of 2015

MG(CO)
CA(03/03/2016)

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