

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.09.2016

CORAM:

THE HON'BLE MR.JUSTICE A.SELVAM
AND
THE HON'BLE MR.JUSTICE P.KALAIYARASAN

H.C.P.No.2054 of 2016

T.Stanislaus James Sathees ... Petitioner

vs.

1.The Inspector of Police,
M3, Puzhal Police Station,
Puzhal, Chennai-600 066

2.The Child Welfare Committee,
rep.by its Chair Person,
Integrated Rural Community
Development Society,
Government of Tamil Nadu,
No.13, Dr.Abdul Kalam Street,
MDM Nagar, Tiruvallur,
Chennai-602 001

3.Mrs.Marry Jose,

4.The Commissioner of Police,
O/o.The Commissioner of Police,
Vepery, Chennai-600 023

... Respondents

R4 impleaded as per order of
this Hon'ble Court dated 22.9.2016
in CrI.M.P.No.10079 of 2016
in H.C.P.No.2054 of 2016

Petition filed under Article 226 of the Constitution of India praying to issue a writ of habeas corpus to direct the respondents to produce the person or body of the detainee minor S.Kiana, D/o.Stanislaus James Sathees, aged about 4 years, before this Court and set her at liberty.

For Petitioner : Mr.M.Devaraj

For Respondents: Mr.V.M.R.Rajentren,A.P.P.
for R1 and R2

ORDER

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

<https://hcservices.ecourts.gov.in/hcservices/>

This Habeas Corpus Petition has been filed under Article 226 of the Constitution of India, praying to direct the

first respondent to trace out and produce the detenue, by name, S.Kiana, aged 4 years, daughter of the petitioner.

2. It is seen from the records that the detenue has already been housed with the second respondent.

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

4. The detenue has been produced before this Court and she has been identified by the petitioner. Further, the detenue has stated that the petitioner is her father.

5. Considering the aforesaid factual circumstances, the petitioner is entitled to get legal custody of the detenue and therefore, the relief sought in the petition can be granted.

In fine, this habeas corpus petition is allowed. The second respondent, viz., The Child Welfare Committee, represented by its Chair Person, is directed to handover the detenue to the petitioner.

Sd/-
Asst.Registrar (CS V)

/true copy/

Sub Asst. Registrar

To

- 1.The Inspector of Police,
M3, Puzhal Police Station,
Puzhal, Chennai-600 066
- 2.The Chair Person,
Child Welfare Committee,
Integrated Rural Community
Development Society,
Government of Tamil Nadu,
No.13, Dr.Abdul Kalam Street,
MDM Nagar, Tiruvallur,
Chennai-602 001
- 3.The Commissioner of Police,
O/o.The Commissioner of Police,
Vepery, Chennai-600 023
- 4.The Public Prosecutor,
High Court, Madras.

+3 cc's to M/s.M.Devaraj,advocate,sr.54168.