

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.10.2016

CORAM:

The HON'BLE MR. JUSTICE M.JAICHANDREN
and
The HON'BLE MR.JUSTICE S.BASKARAN

H.C.P.No.2208 of 2016

P.K.Sundar

.. Petitioner/Defendant complainant
Father of the detenue

Vs.

1.The Superintendent of Police,
Tamilnadu Police Department,
Sathuvasari,
Vellore District.

2.State rep. by,
The Sub Inspector of Police,
Arakonam Town Police Station,
Vellore District.

.. Respondents/Respondents

Prayer: Habeas Corpus Petition is filed under Article 226 of the Constitution of India, praying for the issue of a Writ of Habeas Corpus, to direct the respondents to produce the detenue Padmapriya @ Priya, aged about 16 years, bodily before this Court and restore her to the custody of the petitioner.

For petitioner : Mr.K.Sudhakar

For respondents : Mr.V.M.R.Rajentren, APP

सत्यमेव जयते

ORDER

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

Heard the learned counsel appearing on behalf of the petitioner, as well as the learned Additional Public Prosecutor, appearing on behalf of the respondents.

2 The petitioner, who is the father of the detenue, namely, Padmapriya @ Priya, aged about 16 years, has come forward with this petition, seeking custody of the detenue, who was found missing from 13.8.2016.

3 Today, when the matter was taken up for hearing, the detinue, who is a minor, was produced before this Court. On enquiry, the detinue is willing to go along with her father. However, the father and the mother of the detinue, who are present in Court, were reluctant, initially, to take her back. Therefore, the matter was referred to the Tamil Nadu Mediation and Conciliation Centre, for mediation. After mediation, a report has been received from the Tamil Nadu Mediation and Conciliation Centre, wherein it has been stated that the petitioner is willing to take back the detinue along with him. The petitioner's wife also has expressed her willingness to take her daughter back along with them.

4 In view of the submissions made by the learned counsels appearing on behalf of the parties concerned and in view of the submission made by the detinue, this Court is of the considered view that it is appropriate to permit the detinue, namely, Padmapriya @ Priya, to go along with the petitioner, as per her wish. Accordingly, the detinue is permitted to go along with the petitioner. However, considering the circumstances, the second respondent police is directed to monitor and ensure the safety of the detinue, for a reasonable period of time.

5 This Habeas Corpus Petition stands closed, with the above directions.

Sd/-

ASST. REGISTRAR

/TRUE COPY/

SUB ASST. REGISTRAR

To

1.The Superintendent of Police,
Tamilnadu Police Department,
Sathuvasari,
Vellore District.

2.The Sub Inspector of Police,
Arakonam Town Police Station,
Vellore District.

3.The Public Prosecutor,
High Court, Madras.

H.C.P. No.2208 of 2016

GR(CO)
MMP 12.11.2016



सत्यमेव जयते

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