

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 21.04.2016

CORAM

THE HONOURABLE MR. JUSTICE M.JAICHANDREN

AND

THE HONOURABLE MR. JUSTICE S.NAGAMUTHU

HCP.No.743/2016

Murugesan

..

Petitioner

Verus

1 The Inspector of Police
Kaveripakkam Police Station
Vellore District.

2 Santhakumar

..

Respondents

Writ petition filed under Article 226 of the Constitution of India praying for a writ of Habeas Corpus to direct the respondents to produce the body of the detenu Joshna, daughter of Murugesan, aged about 17 years, now detained under the custody of the 2nd respondent and set the detenu at liberty forthwith.

For Petitioner : Mr.S.Sairaman

For R1 : Mr.V.M.R.Rajentran, APP

ORDER

[Order of the Court was made by M.JAICHANDREN, J,]

This Habeas Corpus Petition has been filed by the petitioner, father of the detenu Joshna, praying that this Court may be pleased to direct the respondents to produce the detenu, namely, Joshna, aged about 17 years, before this Court and set her at liberty.

2 The petitioner has stated that his daughter, namely, Joshna, who was studying in Ramachandra Polytechnic, Dharamneedhi village, Vellore District, had gone missing on 06.04.2016. Therefore, the petitioner had lodged a complaint before the 1st respondent police. The said complaint had been registered by the 1st respondent police, in CrI.No.161/2016 as a

"girl missing" case. The petitioner has alleged that the 2nd respondent had kidnapped the detainee and is keeping her in illegal custody. In such circumstances, the petitioner has preferred the present Habeas Corpus Petition before this Court.

3 Today, when the matter had been listed for hearing, in the special list, the detainee had been produced by the 1st respondent police, before this Court. The parents of the detainee, namely, the petitioner and his wife, are also present.

4 Even though the detainee had stated that she would like to go along with her parents, it is found that the detainee had been produced before the Mahila Court, Vellore, on 15.04.2016 and the Mahila Court, Vellore, had passed an order, on 20.04.2016, in Crime No.161/2016, to keep the detainee in the custody of the Government Home, at Vellore.

5 In such circumstances, we find it appropriate to direct the 1st respondent police to take the detainee back to the Government Home, Vellore, to keep her in custody in the said Home, till she is produced before the Mahila Court, Vellore, on 22.04.2016. The 1st respondent police shall produce the detainee before the Mahila Court, Vellore, at 10.30 a.m., on 22.04.2016. The said Court may pass an appropriate order, as it may think fit, taking into consideration, the safety and welfare of the detainee.

6 The Habeas corpus petition stands closed with the above direction.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

सत्यमेव जयते

Sub Assistant Registrar

To

- 1 The Inspector of Police
Kaveripakkam Police Station
Vellore District.
- 2 The Public Prosecutor
High Court, Madras.

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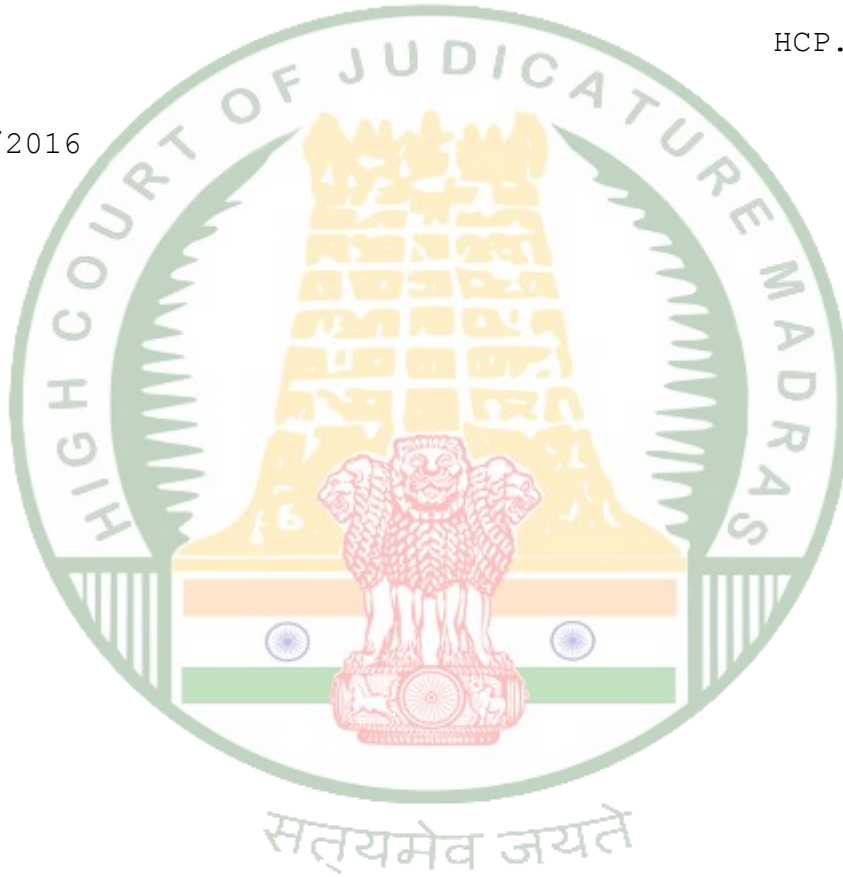
[1] The Mahila Court,
Vellore.

[2] The Incharge, Government Home,
Vellore.

+1cc to Mr.S.Sairaman, Advocate Sr.24691

HCP.No.743/2016

sui[co]
srg 21/04/2016



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