

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.06.2016

CORAM

THE HON'BLE MR.JUSTICE S.NAGAMUTHU
and
THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

H.C.P.No.779/2016

A.Venkatesan

.. Petitioner

Vs

The Inspector of Police,
M.8 Santhankadu Police Station,
Chennai-68.

... Respondent

Prayer: Petition filed under Article 226 of the Constitution of India, praying to issue a WRIT OF HABEAS CORPUS directing the respondent to produce the body of the petitioner's daughter minor Shalini, aged 16 years, before this Court.

For Petitioner : No appearance
For Respondent : Mr.V.M.R.Rajentren,
Additional Public Prosecutor

ORDER

[Order of the Court was made by S.NAGAMUTHU,J]

The petitioner is the father of one Shalini, aged about 16 years. On the allegation that she has been found missing from 16.02.2016 onwards, the petitioner has come up with this Habeas Corpus Petition.

2. Today, when the Habeas Corpus Petition was taken up for hearing, the learned Counsel for the petitioner was not present. The petitioner and his wife have made appearance. The respondent made appearance and produced the minor girl Shalini.

3. According to the respondent, the minor girl was secured, produced before the Chairman/Member, Child Welfare Committee, Purasaiwakkam, Chennai, who in turn, handed over the custody of the minor girl to the petitioner.

4. The detainee would state that her date of birth is 07.04.2000. She has studied up to 9th standard. But she had fallen in love with one Joseph, who is aged about 20 years, for

the past 3 years. On the day of occurrence, Joseph took her in a train to Salem to a house of his friend by name Selvam. Thereafter, at Attur, in a temple, he performed marriage between him and the detainee as per Hindu Customs. The same was attended by one Selvam and Megala. After the marriage, they have lived together at the house of Megala and thereafter, they have returned to Chennai to the house of the mother of Joseph from where they were picked up by the police.

5. The respondent has produced the records which would go to show that the detainee was handed over to her father/the petitioner herein.

6. The petitioner and his wife would submit that they have taken the custody of the minor girl and they would keep her without causing any harm to her and taking interest of her welfare.

7. In view of all the above, the Habeas Corpus Petition is closed.

s/d-
Assistant Registrar(CS-III)

True Copy

Sub-Assistant Registrar

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To

1. The Inspector of Police,
M.8 Santhankadu Police Station,
Chennai-68.

2.The Public Prosecutor,
High Court, Madras.

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