



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.01.2016

CORAM:

THE HONOURABLE MR.JUSTICE P.R.SHIVAKUMAR
AND
THE HONOURABLE MR.JUSTICE V.S.RAVI

H.C.P. (MD) No.1786 of 2015

P.Gunasekarapandian

.. Petitioner

Vs.

1. The Superintendent of Police,
Dindigul District,
Dindigul.

2. The Inspector of Police,
Nilakottai Police Station,
Dindigul District.

3. R.Sankaranarayanan

4. Rajendran

5. Ganga

6. Yamuna

.. Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Habeas Corpus to direct the first and second respondents to produce the body or person of the detenu - Pramila, female, D/o.P.Gunasekarapandian, aged 17 years, from the illegal detention of the respondents 3 to 6 before this Court and hand over the custody of her to the petitioner.

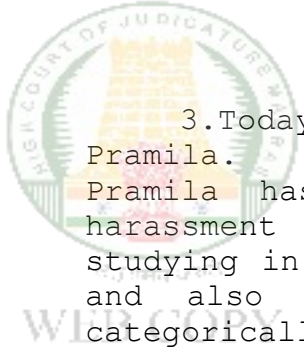
For Petitioner : Mr.J.Selvam
For Respondents 1 & 2 : Mr.R.Ramachandran,
Additional Public Prosecutor

ORDER

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

Though this case stands adjourned to 11.01.2016, since the alleged detenu is produced before this Court, as requested by the learned counsel for the petitioner and also the learned Additional Public Prosecutor, the hearing is advanced and the Habeas Corpus Petition is taken up for hearing.

2.This is an application filed by the petitioner to produce his minor daughter viz., Pramila, aged about 17 years and to hand over her custody to the petitioner. On the allegation that she has been illegally detained by the respondents 3 to 6, the petitioner has come up with the present Habeas Corpus Petition.



3.Today, the second respondent has produced the detenu by name Pramila. The petitioner is also present. On enquiry, the detenu - Pramila has categorically stated in open Court that there is no harassment or illegal detention caused by any one to her and she is studying in first year of B.Sc. Chemistry in Palani Andavar Arts College and also willing to continue her studies. The detenu has also categorically stated that she is willing to go with her father viz., petitioner. The petitioner viz., P.Gunasekarapandian has asserted stated that he is ready to take care of the detenu and also willing to provide food, shelter and clothing to her, and also willing to make her continue her further studies. The above statements of the petitioner and the detenu are recorded. Accordingly, the custody of the minor girl viz., Pramila is entrusted to his father viz., petitioner.

4.The learned counsel for the petitioner submits that it is the case of kidnapping and also attempt to commit certain unlawful activities. In view of the said submission, the second respondent shall proceed with the investigation of the case registered in Crime No.437 of 2015 in accordance with law.

5.The Habeas Corpus Petition is, accordingly, disposed of.

Sd/-

Assistant Registrar (AS)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Dindigul District,
Dindigul.
2. The Inspector of Police,
Nilakottai Police Station,
Dindigul District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+ 1 CC TO M/S.J.SELVAM, ADVOCATE IN SR NO. 547

GCG

TE/SKS-RR/ : 19/01/2016 : 2P/5C

Order made in
H.C.P. (MD) No.1786 of 2015

Dated:
05.01.2016