



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
DATED :29.09.2016  
CORAM

**THE HONOURABLE MR.JUSTICE S.NAGAMUTHU**  
**AND**  
**THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN**

H.C.P(MD)No. 1163 of 2016

Prabhavathi .. Petitioner  
vs.

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

2.The Deputy Superintendent of Police,  
Pattukottai, Thanjavur District

3.The Inspector of Police  
Madukkur Police Station,  
Thanjavur District

4.Palanivel .. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying for issuance of a writ of Habeas Corpus directing the 2nd and 3rd Respondents to secure the detenu and produce the body or person of the detenu viz Arunkumar S/o. (late). panneerselvam aged 17 years before this Honourable court illegally detained by the 4th Respondent and handover the custody of the detenu to the Petitioner forthwith.

For Petitioner :Mr.S.Deenadayalan  
For Respondents :Mr.A.Ramar for R1 to R3  
Additional Public Prosecutor

ORDER

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

The petitioner is the mother of one Arunkumar, S/o.Panneerselvam. He is more than 17 years old. In terms of Juvenile Justice (Care and Protection of Children) Act 2015, the detenu can be treated as an Adult Offender. Since he was found missing, the petitioner has come up with this Habeas Corpus Petition.

2.We have heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondents 1 to 3.



3. Today, the detenu Mr. Arunkumar was produced before this Court by the 3<sup>rd</sup> respondent. The detenu told us that his date of birth is 30.03.1999 and is completing 18 years only on 30.03.2017. He further submitted that he was compelled to marry one Pavithra, the daughter of the fourth respondent herein, whose date of birth is 15.04.1998. Thereafter, he lived with her at Tiruppur and both of them were employed in a Private company. He further stated that he was compelled to marry and he was compelled to live at Tiruppur. Since, he is willing to go with the petitioner/mother, we are inclined to close this petition, at the same time, we direct the petitioner and the detenu to appear before the Mediation Centre at Pattukottai. The 4<sup>th</sup> respondent is also directed to appear before the Mediation Centre along with Pavithra to settle the issue between the parties, if possible by means of mediation.

Sd/-  
Assistant Registrar

/True Copy/

Sub-Assistant Registrar

To

1. The Superintendent of Police,  
Thanjavur District,  
Thanjavur.
2. The Deputy Superintendent of Police,  
Pattukottai, Thanjavur District
3. The Inspector of Police  
Madukkur Police Station,  
Thanjavur District
4. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

+One cc to M/s. S. Deenadhayalan, Advocate, SR.No.57875  
Copy to:- Do through The Judicial Magistrate, Pattukottai

RR  
RL/7c/2p/SK/SKN/19.10.2016

HCP (MD) No.1163 of 2016