



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.07.2016

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
and
THE HONOURABLE MR.JUSTICE B.GOKULDAS

H.C.P(MD)No.673 of 2016

Valarmathi

: Petitioner

Vs.

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

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

3.Vignesh
4.Chandran

: Respondents

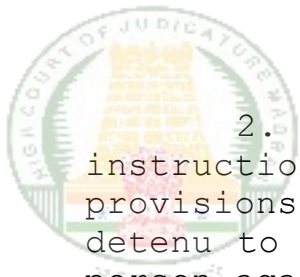
PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus, directing the respondents 1 and 2 to produce the person or body of the petitioner's minor daughter namely Jothi, aged 17 years from the illegal custody of the third and fourth respondents before this Court and hand over to the petitioner's custody and pass such further or other orders as this Court may deem fit and proper in the circumstances of this case.

For Petitioner : M/s.A.Arul Jenifer
For Respondents 1&2 : Mr.C.Mayil Vahana Rajendran,
Additional Public Prosecutor

O R D E R

[Order of the Court was made by K.K.SASIDHARAN, J.]

The detenu was produced from Sakthi Vidial Home, Muthupatti, Alagappan Nagar, Madurai, by the second respondent. The detenu informed us that she was taken by the third respondent without consent and against her wishes and made to marry him under duress. The statement of the detenu has already been recorded by the Inspector of Police, Pattiveeranpatti Police Station.



2. The learned Additional Public Prosecutor, on instructions, submitted that the police is now going to alter the provisions of law, in view of the specific statement given by the detenu to the effect that she was compelled and forced to marry a person against her wishes.

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3. The detenu informed us that she wanted to go with the petitioner, who is none other than her biological mother. We have also examined the petitioner, who appeared before us.

4. The petitioner is given custody of the detenu.

5. We direct the Sakthi Vidial Home, Muthupatti, Alagappan Nagar, Madurai, to record the order directing to hand over custody of the detenu to the petitioner.

6. The Habeas Corpus Petition is closed with the above observation.

Sd/-

Assistant Registrar(AS)

/TRUE COPY/

Sub Assistant Registrar

SML

To

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

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

3. The Officer In-Charge,
Sakthi Vidial Home,
Muthupatti, Alagappan Nagar, Madurai

4 .The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

SML

JAM/12.07.2016/SK-SKN/SARI/2P-5C

Order made in
H.C.P(MD)No.673 of 2016

Dated:
11.07.2016