

In the High Court of Judicature at Madras

Dated: 13.04.2017

Coram:

THE HONOURABLE MR.JUSTICE S.NAGAMUTHU  
and  
THE HONOURABLE DR.JUSTICE ANITA SUMANTH

H.C.P.No.120 of 2017

Mrs.Manjula

.. Petitioner

vs.

1.The Commissioner of Police,  
Sub-Urban,  
St.Thomas Mount,  
Chennai-600 016

2.The Inspector of Police,  
T-13, Police Station,  
Kundrathur,  
Chennai-600 069

3.Mr.Yuvaraj

..... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of habeas corpus to direct the second respondent police to produce the daughter of the petitioner the detainee Ms.Durga, D/o.Mr-Maheshkumar, aged about 17 years, before this Court and set her at liberty.

For Petitioner .. Mr.P.Balamurugan

For Respondents... Mr.V.M.R.Rajendran, Addl.P.P.  
for R1 & R2

O R D E R

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

The petitioner is the mother of one Durga, daughter of Mr.Maheshkumar. Her date of birth is 18.7.1999. According to the petitioner, the third respondent had kidnapped her. On a complaint made by the petitioner, a case has been registered. Since the girl was not secured by the police, the petitioner has come up with this Habeas Corpus Petition.

2. Today, when the matter was taken up for hearing, the detainee-Durga has been produced before us by the police. She told us that her date of birth is 18.7.1999. She further told us that she had fallen in love with the third respondent, whose date of birth is 20.04.1999. Thus, both of them are children in terms of the POSCO Act. The third respondent, according to the police, was arrested and later on released by the Juvenile Board. The detainee further told us that she went with the third respondent on her own volition and she does not want to go back to her parental home.

3. We are informed that the District Welfare Committee has passed order regarding the custody of the detainee in a Home. Recording the same, this Habeas Corpus Petition stands closed.

Sd/-  
Asst.Registrar (CS V)

/true copy/

Sub Asst. Registrar

msk

To

1.The Commissioner of Police,  
Sub-Urban,  
St.Thomas Mount,  
Chennai-600 016

2.The Inspector of Police,  
T-13, Police Station,  
Kundrathur,  
Chennai-600 069

3.The Public Prosecutor,  
High Court, Madras.

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ss(24/4/2017)