

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 15.11.2017

Coram

**THE HON'BLE MR.JUSTICE RAJIV SHAKDHER
&
THE HON'BLE MR.JUSTICE N.SATHISH KUMAR**

**H.C.P.No.1529 of 2017
and CrI.M.P.No.12936 of 2017**

P.Baskaran

... Petitioner

Vs.

1.State of Tamil Nadu,
rep. by Superintendent of Police,
Cuddalore District.

2. The State of Tamil Nadu,
rep. by the Inspector of Police,
R3, Ashok Nagar Police Station,
Ashok Nagar, Chennai.

3. The State of Tamil Nadu,
rep. by The Inspector of Police,
Panruti Police Station,
Cuddalore District.

4. R.Siva Sankar

...Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, directing the respondents 1 to 3 to produce the petitioner's minor daughter, B.Subha, aged 17 years, who is being detained under the illegal custody of the 4th respondent and make her physical presence before this Court and set her at liberty.

For Petitioner : Mr.L.S.M.Hasan Fizal

For Respondents : Mr.V.M.R.Rajentran,
Addl. Public Prosecutor for R1 to R3.

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ORDER

(Order of the Court was made by **RAJIV SHAKDHER, J**)

1. This matter came up for hearing on 13.11.2017.

1.1. On that date, we had examined the Counselling Report produced before us by the Superintendent of Kelly's Home, where the detainee/Ms.B.Subha is lodged. Accordingly, it was so recorded in our order dated 13.11.2017.

1.2. The Counselling Report produced before us is suggestive of the fact that the detainee/Ms.B.Subha wishes to return to her parents and continue with her studies.

2. The only reason we had adjourned the matter to today i.e. 15.11.2017, was that the detainee/Ms.B.Subha, was not present in Court on the previous date.

2.1. Today, the detainee/Ms.B.Subha is present in Court. We ascertained from her, whether she wants to return to her parents. The detainee/Ms.B.Subha has stated in no uncertain terms before us that she wishes to be with her parents.

3. We may also note that the Deputy Superintendent of Kelly's Home, Ms.Uma Maheswari, is also present in Court.

3.1. Ms.Uma Maheswari informs us that the Child Welfare Committee, Chennai (in short 'CWC') ordinarily convenes on every Thursday and Friday of the week.

4. Accordingly, Ms.Uma Maheswari is directed to produce the detainee/Ms.B.Subha, before CWC, Chennai tomorrow i.e. on 16.11.2017.

5. The CWC, Chennai will take into account what we have recorded above, and thereafter, shall pass an order of restoration qua the detainee/Ms.B.Subha with her parents as deemed fit.

6. Given these facts and circumstances, no further orders are called for. The petition is, accordingly, closed. Consequently, the connected miscellaneous petition shall also stand closed.

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(R.S.A., J.) (N.S.K., J.)
15.11.2017

Index : yes/no
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Note: Issue order copy today.

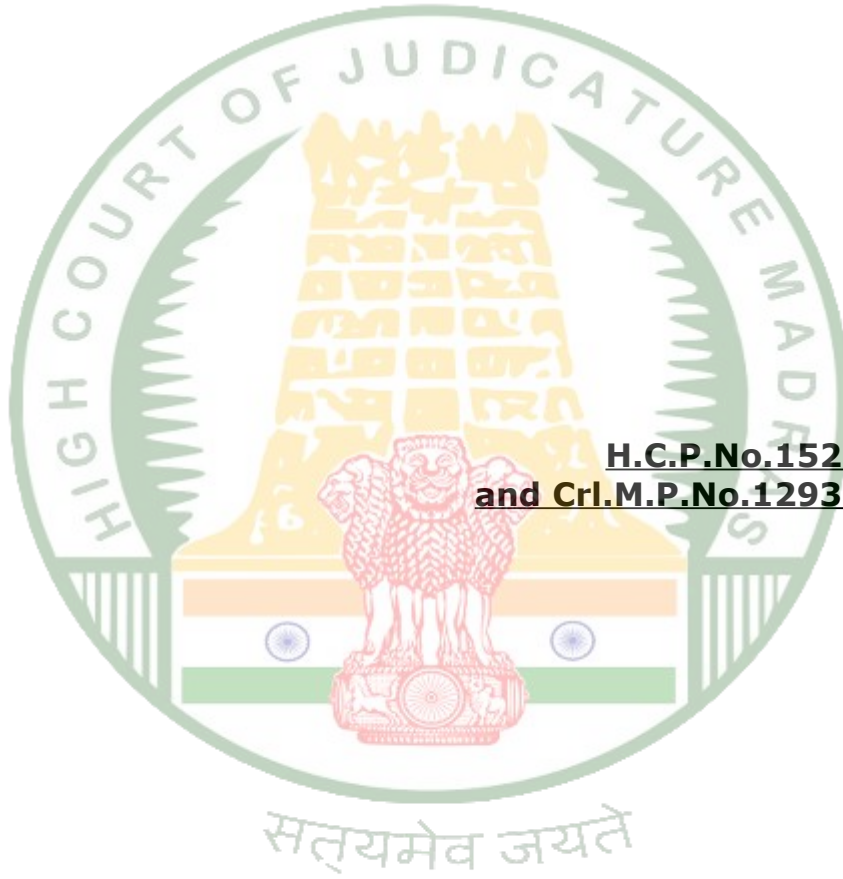
To

1. The Superintendent of Police,
Cuddalore District.
2. The Inspector of Police,
R3, Ashok Nagar Police Station,
Ashok Nagar, Chennai.
3. The Inspector of Police,
Panruti Police Station,
Cuddalore District.
4. The Member,
Child Welfare Committee,
No.300, Purasawakam High Road,
Kellys, Chennai – 10.
5. The Superintendent,
Government Children Home for Girls,
No.300, Purasawakam High Road,
Kellys, Chennai – 10.
6. The Public Prosecutor,
Madras High Court,
Chennai.

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RAJIV SHAKDHER, J.
and
N.SATHISH KUMAR, J.

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