

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 19.09.2017

CORAM

THE HON'BLE Mr.JUSTICE A.SELVAM
and
THE HON'BLE Mr.JUSTICE P.KALAIYARASAN

H.C.P.No.1626 of 2017

S.Vasudevan ... Petitioner

Vs

1.The Inspector of Police,
T-11, Thiruninravur Police Station,
Thiruninravur, Thiruvallur District.

2.Vedavalli
3.Kousalya
4.Elavarasi
5.Venkatesan

... Respondents

Petition filed under Article 226 of the Constitution of India, praying to issue a WRIT OF HABEAS CORPUS, to direct the respondents to produce the detenu Yashikka, aged about 10 years, before this Hon'ble Court within the time stipulated by this Hon'ble Court.

For Petitioner : Mr.S.Veeraraghavan

For Respondent 1 : Mr.V.M.R.Rajentren,
Additional Public Prosecutor

For Respondent 4 & 5 : K.S.Suresh

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O R D E R

[Order of the Court was made by A.SELVAM, J.]

This Habeas Corpus Petition has been filed under Article 226 of the Constitution of India praying to direct the 1st respondent to trace out and produce the detenu by name, Yashikka, aged 10 years, daughter of the petitioner.

2. The petitioner is present and he has been identified by his counsel. The 1st respondent has produced the detainee by name Yashikka.

3. The detainee has been enquired into and she has stated that now she is residing with her maternal grandmother, viz. Vedavalli, 2nd respondent herein. Further, she stated that she is not willing to go with her father/ petitioner.

4. Considering the aforesaid factual circumstances, this Court is inclined to pass the following order :

In fine, the petitioner is directed to file a proper petition before the proper forum for getting custody of the detainee.

5. With the above observation, this Habeas Corpus Petition is disposed of. However, liberty is given to the petitioner to see the detainee during holidays in Pachaiaimman Koil, Thirumullaivoyal, Chennai. The 2nd respondent and others should not raise any objection.

Sd/-
Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

gya

To

1.The Inspector of Police,
T-11, Thiruninravur Police Station,
Thiruninravur, Thiruvallur District.

2.The Public Prosecutor,
High Court, Madras.

+1 cc to Mr.S.Veeraraghavan,Advocate S.R.No.68508

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NRJK(CO)
NR 10/10/2017