

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 30.11.2017

Coram

The Hon'ble Mr.Justice RAJIV SHAKDHER
and
The Hon'ble Mr.Justice N.SATHISH KUMAR

H.C.P.No.1667 of 2017

N.Kandhammal

.. Petitioner

Vs.

1. The Superintendent of Police,
Vellore District, Vellore.
2. The Inspector of Police,
Sholingar Police Station,
Sholingar, Vellore District.
3. Kamalakannan

.. Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution seeking to issue a Writ of Habeas Corpus directing the respondents herein to produce the daughter of the petitioner K.Mathumitha, 17 years, before this Court and set her at liberty forthwith.

For Petitioner : Dr.D.Parthiban

For Respondents: Mr.V.M.R.Rajentran,
Addl. Public Prosecutor for RR1 & 2

O R D E R

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

1. The detainee Ms.K.Mathumitha, who is aged 17 years, has been produced.

2. The petitioner, who is the mother of the detainee, is also present in the Court.

3. We have interacted with the petitioner, the detainee, and the detainee's father.

3.1. The detainee says that she does not wish to return to her parents.

4. It appears that the detinue had some relationship with respondent No.2, i.e., Mr.Kamalakannan.

5. In these circumstances, for the moment, the detinue will be lodged in the Children's Home, known as, Government Girl Aftercare Home, Allapuram, Vellore (Home). The detinue will be accompanied by Ms.V.Prema, WPC No.307, Sholinghur Police Station, Vellore District, to the aforesaid home.

6. The Superintendent of the aforementioned Home will receive the detinue. The detinue will be kept in the Home, till she attains majority. In case, the detinue expresses a desire, albeit, prior to her attaining the age of majority that she would want to be restored to her parents, then, the Superintendent of the Home would place the matter before the concerned Child Welfare Committee, for passing suitable orders, in that behalf.

6.1. Furthermore, it is clarified that after the detinue attains majority, she would be free to leave the Home.

7. The captioned petition is closed, accordingly.

Sd/-
Asst.Registrar (CS IV)

/true copy/

Sub Asst. Registrar

To

1. The Superintendent of Police,
Vellore District, Vellore.
2. The Inspector of Police,
Sholingar Police Station,
Sholingar, Vellore District.
3. The Superintendent,
Government Girls Aftercare Home,
Allapuram, Vellore.
4. The Public Prosecutor,
Madras High Court, Chennai.

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SS(CO)
NR 30/11/2017