

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.12.2017

CORAM:

THE HONOURABLE MR.JUSTICE RAJIV SHAKDHER  
and

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

H.C.P.No.2373 of 2017

Mrs. Santha

... Petitioner

-Vs-

1.The State by

The Superintendent of Police,  
Dharmapuri District,  
Dharmapuri

2. The Sub-Inspector of Police

Perumbalai Police Station  
Perumbalai,  
Dharmapuri District

3. The Superintendent,  
Vallalar Children Home,  
Kurinji Nagar,  
Nallaipalli Taluk,  
Dharmapuri District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus directing the respondents 1 to 2 herein to produce the body and person of the detenu by name Thangam aged about 13 years before this Court from the custody of the 3<sup>rd</sup> respondent and handover to the petitioner herein.

For Petitioner : Mr.MR. Jothimanian

For Respondents: Mr.V.M.R.Rajentran  
Additional Public Prosecutor

O R D E R

[Order of the Court was made by RAJIV SHAKDHER,J.]

1. Mr. R. Rajasekaran, Superintendent, Children Home for Boys and Girls, Under Vallalar Illam, Kurinji Nagar, Nallampalli, Dharmapuri is present in Court. He informs us that the detenu Ms. Thangam was transferred to Children Home,

Mahalir Aran Trust, Devaruthapalli, Nallampalli (Tk) Dharmapuri (Dt.).

2. The detainee/Ms.Thangam who is present in Home, says that, she wishes to remain in the custody of her father.

3. The petitioner before us is the sister of the detainee/Ms.Thangam.

4. We are informed by Mr.Jayaseelan, the Investigating Officer, that the detainee/Ms. Thangam has escaped from the Children's Home, Mahalir Aran Trust.

5. In these circumstances, the detainee/Ms.Thangam will be restored to the said Home. The Superintendent of the said Home shall produce the detainee/Ms. Thangam, before the concerned Child Welfare Committee(CWC). The CWC will pass appropriate order having regard to best interest of the child.

5.1. While passing the order CWC will keep in mind that the detainee/Ms.Thangam has expressed in desire to return to her family of origin.

6. Let the needful done by the Superintendent of Mahalir Aran Trust, as expeditiously as possible by no later than 28.12.2017.

7. The petition is, accordingly, disposed of the aforementioned terms.

Sd/-  
Assistant Registrar (CS-xi)

//True Copy//

Sub Assistant Registrar

ggs

To

1. The Superintendent of Police,  
Dharmapuri District, Dharmapuri

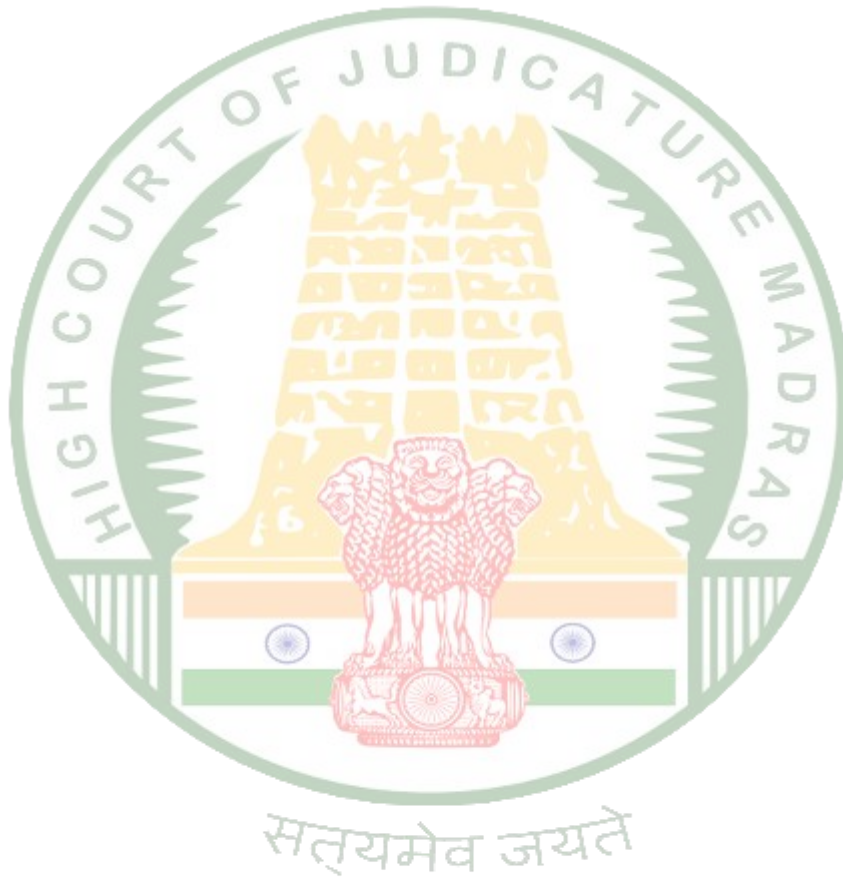
2. The Sub-Inspector of Police  
Perumbalai Police Station  
Perumbalai,  
Dharmapuri District

3. The Public Prosecutor,  
Madras High Court, Madras.

+1cc to Mr.M.R.JOTHIMANIAN Advocate, S.R.No. 92394

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TR(22/12/2017)



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