

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 27.04.2017

CORAM

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

H.C.P No.550 of 2017

Sekar

.. Petitioner

Vs

1.The Superintendent of Police,
Vellore District.

2.The State Rep. By
The Inspector of Police,
Vellore Taluk Police Station,
Vellore District.

3.S.Madhan

.. Respondents

Habeas Corpus Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus to direct the first respondent to produce the detainee S.Velvizhi aged about 16 years bodily or in person before this Court and set her at liberty.

For Petitioner : Mr.M.Mariappan

For RR1 & 2 : Mr.V.M.R.Rajentren,

Additional Public Prosecutor

सत्यमेव जयते
O R D E R

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

The petitioner is the father of one Ms.S.Velvizhi, aged about 16 years. Her date of birth is 02.12.2001. She has just completed X standard. Since, she has been found missing from 23.03.2017, the petitioner has come up with this Habeas Corpus Petition.

2.Today when the matter was taken up for hearing, the petitioner has made appearance along with his wife. The second respondent Police produced the detinue Ms.S.Velvizhi. She told us that under threat and coercion, the third respondent took her to Arni; then, to Tiruvannamalai; married her; took her to Tirupathi; stayed with her for 10 days; sexually exploited her and then, took her to Hosur and lastly, lived with her as her husband.

3.Now, the detinue wants to go along with her parents. The said statement is recorded. The second respondent would inform us that the third respondent herein was arrested and remanded to custody under the Protection of Children from Sexual Offences, Act also. The said statement is recorded.

4.In view of all the above, we entrust the custody of the detinue to the petitioner and his wife. They shall keep the detinue without causing any harm, either physical or mental, to her. The Chairman, District Child Welfare Committee, Vellore District shall visit the house of the petitioner periodically, and give counselling to the detinue and her family members, so as to ensure the safety of the detinue. The custody of the detinue to her parents is purely temporary and if the Chairman, District Child Welfare Committee feels that if the detinue is not safe in the custody of her parents, he/she at liberty to change the custody of the detinue according to law.

With the above observations, the Habeas Corpus Petition is closed.

-s/d-

Assistant Registrar(CSVIII)

True Copy

Sub-Assistant Registrar

jbm

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To

1.The Superintendent of Police,
Vellore District.

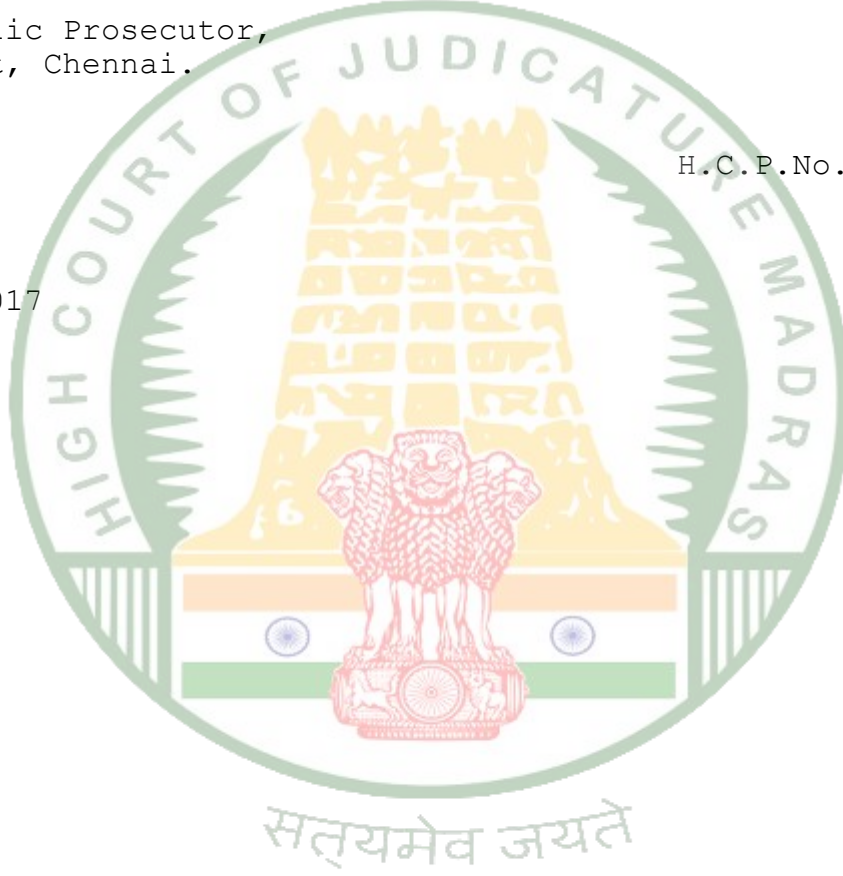
2.The Inspector of Police,
Vellore Taluk Police Station,
Vellore District.

3.The Chairman,
District Child Welfare Committee,
Vellore District

4.The Public Prosecutor,
High Court, Chennai.

H.C.P.No.550 of 2017

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