

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.570 of 2017

Malar .. Petitioner Vs

1.State rep. By
The Inspector of Police,
P-4 Basin Bridge Police Station,
Pulianthope
Chennai - 600 012.

2.Ranjith Kumar
3.Lakshmi
4.Mohan
5.Ramdass
6.Premkumar
7.Mayandi

... Respondents/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 herein to produce the body of the petitioner's daughter J.Jayapriya D/o.Jayashankar, female aged about 16 years before this Court and set her at liberty.

For Petitioner : Mr.V.Purushothaman

For RR1 & 2 : Mr.P.Govindarajan,

Additional Public Prosecutor

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O R D E R

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

The petitioner is the mother of Ms.J.Jayapriya D/o.Jayashankar, aged about 16 years. Her date of birth is 22.06.2000. Since, she has been found missing from 22.03.2017 onwards, the petitioner has lodged a complaint before the respondent Police.

2.The first respondent has registered a case on the complaint of the petitioner in connection with the above occurrence. Since, during the course of investigation, the detainee was not secured by the Police, the petitioner has come up with this Habeas Corpus Petition.

3.Today, when the matter was taken up for hearing, the first respondent produced the detainee before us. She told us that she had fallen in love with the second respondent for about 1 ½ years. The second respondent took her to somewhere and had married her and had sexually exploited the detainee.

4.The detainee told us that she is now willing to go along with her mother, the petitioner herein. The petitioner is also willing to take her back and to keep her safely. The said statement is also recorded.

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

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

Sd/-

ASST. REGISTRAR

/TRUE COPY/

SUB ASST. REGISTRAR

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To

1.The Inspector of Police,
P-4 Basin Bridge Police Station,
Pulianthope
Chennai - 600 012.

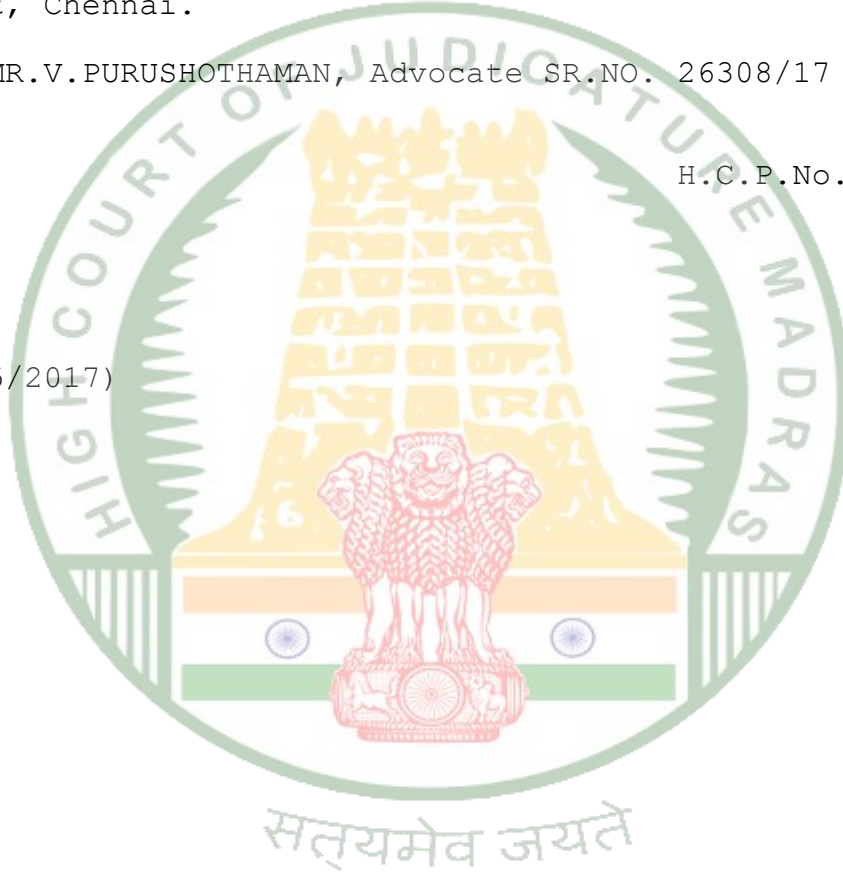
2.The Chairman,
District Child Welfare Committee,
Chennai.

3.The Public Prosecutor,
High Court, Chennai.

+ 1cc to MR.V.PURUSHOTHAMAN, Advocate SR.NO. 26308/17

H.C.P.No.570 of 2017

SJ(CO)
T.R (15/05/2017)



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