

In the High Court of Judicature at Madras

Dated : 01.6.2017

Coram :

The Honourable Mr.Justice NOOTY.RAMAMOHANA RAO

and

The Honourable Mr.Justice S.M.SUBRAMANIAM

Habeas Corpus Petition No.759 of 2017

Sameena Kurshith

...Petitioner

Vs

1. The Superintendent of Police,  
Collector Office Road, Sungu  
Pettai, Perambalur-621212.
2. The Inspector of Police,  
Perambalur Police Station,  
Super Nagar, Attur Road,  
Perambalur-621212.
3. The Child Welfare Committee,  
Perambalur.
4. The Child Welfare Committee,  
Government Special Home,  
Opp. to Taluk Office,  
Chengalput-603002.  
Kancheepuram District.
5. The Collector, Collectorate  
Campus, Perambalur.
6. The District Child Protection  
Unit, Collectorate Campus,  
Perambalur.
7. The Inspector of Police,  
Neelankarai Police Station,  
Neelakarai, Chennai.

8. M.Haseena

...Respondents

PETITION under Article 226 of The Constitution of India seeking to issue a Writ of Habeas Corpus directing the 2nd and 3rd respondents to produce the body of the detainee M.Faiz Fathima, aged about 18 years presently in the custody of the 3rd, 5th and 6th respondents, before this Court and set her at liberty.

For Petitioner : Ms.Shaikh Mehrunisa

For Respondents 1 to 7 : Mr.V.M.R.Rajendran, APP

For Respondent-8 : Mr.M.Krishnamurthy

ORDER

(Order of the Court was made by NOOTY.RAMAMOohana RAO,J)

This petition is instituted for production of the detainee M.Faiz Fathima, aged about 18 years, said to be in the custody of respondents 3, 5 and 6 namely the Child Welfare Committee, Perambalur, the Collector of Perambalur and the District Child Protection Unit, Perambalur.

2. In pursuance of the notice in the above case, Mr.V.M.R.Rajendran, learned Additional Public Prosecutor has caused the production of M.Faiz Fathima, aged about 18 years. We had interacted with the said individual inside the court hall. We had also permitted Ms.Shaikh Mehrunisa, learned counsel appearing for the petitioner to interact with the alleged detainee M.Faiz Fathima outside the court hall for a few minutes. We note from our interaction with the detainee that she is fairly articulate and capable of taking a proper and informed decision in the matter. Since there is no dispute on the factual count that the alleged detainee was born on 18.9.1998, she has already completed 18 years of age by 17th of September 2016 and hence, we are of the opinion that we need not pass any particular order in this writ petition, but however we preserve liberty to all the parties to work out the remedies available to them under law and we also leave it to the alleged detainee M.Faiz Fathima to charter any further course of action, which she considers as suitable to her age, avocation and desire.

3. With this, the above writ petition stands disposed of.

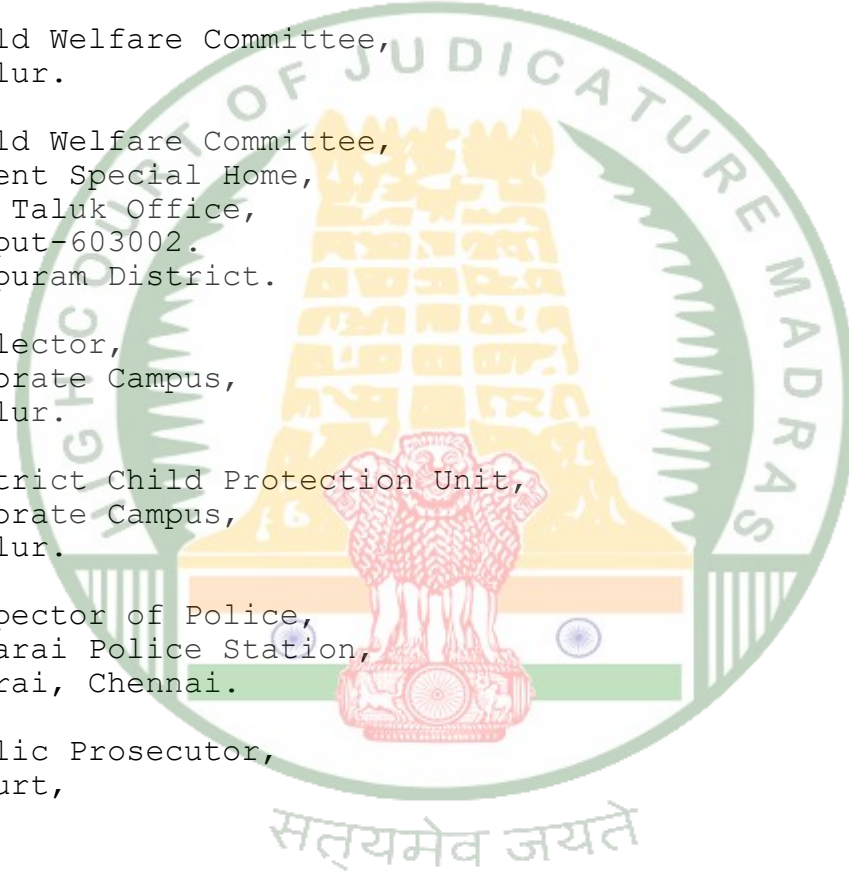
s/d-  
Assistant Registrar

True Copy

Sub-Assistant Registrar

To

- 1.The Superintendent of Police,  
Collector Office Road,  
Sungu Pettai,  
Perambalur-621212.
- 2.The Inspector of Police,  
Perambalur Police Station,  
Super Nagar,  
Attur Road,  
Perambalur-621212.
- 3.The Child Welfare Committee,  
Perambalur.
- 4.The Child Welfare Committee,  
Government Special Home,  
Opp. to Taluk Office,  
Chengalput-603002.  
Kancheepuram District.
- 5.The Collector,  
Collectorate Campus,  
Perambalur.
- 6.The District Child Protection Unit,  
Collectorate Campus,  
Perambalur.
- 7.The Inspector of Police,  
Neelankarai Police Station,  
Neelakarai, Chennai.
- 8.The Public Prosecutor,  
High Court,  
Chennai



HCP.No.759 of 2017

SKV (CO)  
NR (02/06/2017)

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