

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.01.2017

CORAM

THE HONOURABLE MR.JUSTICE M.JAICHANDREN
and
THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

H.C.P.No. 76 of 2017

R.Srinivasan ... Petitioner

Vs.

1. The Commissioner of Police
Egmore, Chennai-8.

2. The Inspector of Police
J-13, Thramani Police Station,
Chennai.
Cr.No.101/2007

3. Ramesh

4. Srinivasan

6. Abdul Basha ... Respondents

Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Habeas Corpus directing the respondents to produce the body of the Minor girl S.Kamali who is confined against her will and detained under illegal custody of the 3rd, 4th and 5th respondent.

For Petitioner : Mr.S.Hemanand

For Respondents : Mr.V.M.R.Rajentren
Addl. Public Prosecutor for R1 &R2

ORDER

[Order of the Court was made by C.V.KARTHIKEYAN, J.,]

Heard the learned counsel appearing on behalf of the petitioner, as well as the learned Additional Public Prosecutor appearing on behalf of the respondents 1 and 2.

2. The petitioner has come to this Court complaining that his daughter, aged about 16 years, studying in 11th standard in St.Pius Matriculation School, Perungudi, Chennai, had gone missing and that he apprehended that the 3rd respondent along with the 4th and 5th respondents had kidnapped and taken away her. Hence, the petitioner had lodged a complaint before the 2nd respondent/Inspector of Police, Taramani Police Station, on 08.01.2017 and the same had been registered in Crime No.101/2017.

3. Today the 2nd respondent has produced the minor child, before this Court. On enquiry, the detinue has expressed her desire to go along with her father, who is the petitioner herein. The father was also examined and he is also willing to take back her child.

4. The learned Additional Public Prosecutor has stated that the 3rd respondent had also been secured at Cuttack, Orissa and since he is also a minor has been lodged in the Government Home for Boys at Kellys, Chennai.

5. In such circumstances, this Court is of the considered view that it would be only appropriate to permit the detinue, namely, S.Kamali, to go along with her father, the petitioner. Accordingly, the detinue is permitted to go along with her father, who is the petitioner herein, as per her wish. No further orders are necessary, in the present Habeas Corpus Petition. Accordingly, this Habeas Corpus Petition stands closed.

Sd/-
Assistant Registrar(CO)

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सत्यमेव जयते
Sub Assistant Registrar

To

1. The Commissioner of Police,
Egmore, Chennai-8.
2. The Inspector of Police,
J-13, Thramani Police Station,
Chennai.

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3. The Public Prosecutor,
High Court, Madras.
4. The Joint Secretary to Government,
Public (Law & Order)
Fort St.George, Chennai-9.

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srg 15/2/2017



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