

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.08.2017

CORAM:

THE HON'BLE MR.JUSTICE A.SELVAM

AND

THE HON'BLE MR.JUSTICE P.KALAIYARASAN

H.C.P.No.976 of 2017

K.Vijay

... Petitioner

vs.

1.The Superintendent of Police,
Nilgiris,
Nilgiris District.

2.The Inspector of police,
All Women Police Station,
Coonoor,
Nilgiris.

3.The Inspector of Police,
Upper Coonoor,
Nilgiris

4.Sampath

5.S.Annapoorani ... Respondents

5th respondent is impleaded as per
the order of this Court dated 31.07.2017,
made in CrI.M.P.No.9547 of 2017 in
H.C.P.No.976 of 2017.

Petition filed under Article 226 of the Constitution of India praying to issue a writ of habeas corpus to direct the respondents 1 to 3 to produce the body of the detenu minor Priyanka (Female/aged 12) and minor Anamika (female/aged 6) before this Court and handover the custody of the detenu to the petitioner.

For Petitioner : Mr.N.Manokaran

For Respondents : Mr.V.M.R.Rajentren, Addl.P.P.
For R1 to R3
Mr.N.R.Elango, Sr.counsel
for Mr.N.Damodaran
for R4 and R5

ORDER

(Order of the Court was made by A.SELVAM, J.)

This Habeas Corpus Petition has been filed under Article 226 of the Constitution of India, praying to direct the respondents 1 to 3 to trace out and produce the detenu, namely, (i) Priyanka, aged 12 years and (ii) Anamika, aged 6 years, daughters of both the petitioner and fifth respondent.

2. The petitioner is present and he has been identified by his counsel. Likewise, the fifth respondent is also present and identified by her counsel.

3. The fifth respondent, viz., the mother of the detenu, has produced both the detenu.

4. It is represented on the side of the petitioner that the petitioner has filed G.W.O.P.No.20 of 2017, on the file of the District Court, Nilgiris, with regard to custody of the detenu.

5. Considering the pendency of G.W.O.P.No.20 of 2017, this Court is inclined to pass the following order:

In fine, both the petitioner and fifth respondent are directed to seek their remedy in G.W.O.P.No.20 of 2017.

6. With the above observation, this habeas corpus petition is disposed of.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

msk

To

1. The Superintendent of Police,
Nilgiris,
Nilgiris District.

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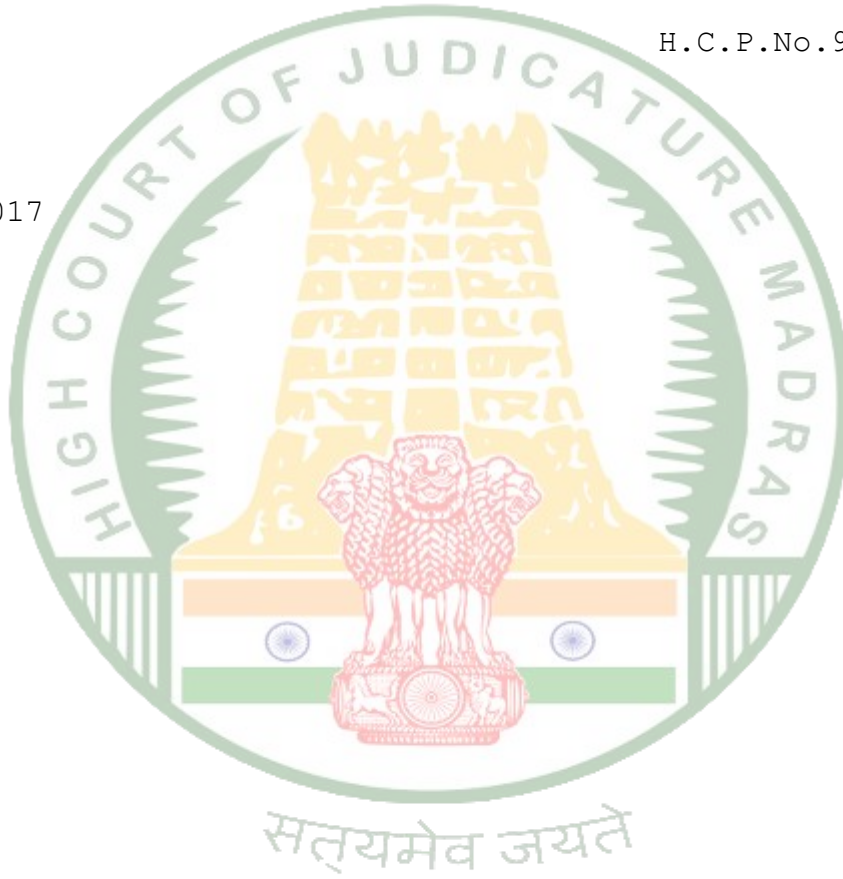
2.The Inspector of police,
All Women Police Station,
Coonoor,
Nilgiris.

3.The Inspector of Police,
Upper Coonoor,
Nilgiris.

4.The Public Prosecutor,
High Court, Madras.

H.C.P.No.976 of 2017

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