

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.01.2017

CORAM

THE HON'BLE MR.JUSTICE M.JAICHANDREN
and
THE HON'BLE MR.JUSTICE T.MATHIVANAN

H.C.P.No.2173 of 2016

Palaniyammal

.. Petitioner /
Mother of the detenu

Vs.

1. The District Collector
Cuddalore
2. The Child Welfare Committee
Cuddalore
- 3.The Inspector of Police
Reddiarpalayam Police Station
Reddiarpalayam, 111
Puducherry – 605 010
- 4.Rajesh Kanna
Child Line
Cuddalore
- 5.Angel New Life Children's Home
Rep. By its Managing Trustee S.Dhanalakshmi
No.7, Serakuppam Village
Varalur Town Panchayat
Kurinchipadi Taluk
Cuddalore District
- 6.Ezhumalai
Angel New Life Home Trust
No.7, Serakuppam Village

Varalur Town Panchayat
Kurinchipadi Taluk
Cuddalore District

.. Respondents

Prayer: 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 detenue Samuel @ Dussol Alpho Krish, aged 4 ½ years and set him at liberty.

For Petitioner : Mr.M.Govindaraju

For Respondents : Mr.V.M.R.Rajentren,
Additional Public Prosecutor for R1 and R2
Mr.M.R.Thangavel
Additional Public Prosecutor (Pondy) for R3
Mr.N.Vasanth for R5
Mr.A.Rajesh Kanna for R5 and R6

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ORDER

(Order of the Court was made by **M.JAICHANDREN,J.**)

At this stage of hearing of the matter, the learned counsel appearing on behalf of the petitioner, has submitted that he may be permitted to withdraw the Habeas Corpus Petition in H.C.P.No.2173 of 2016. He has also made an endorsement to that effect.

2. Hence, this Habeas Corpus Petition stands dismissed as withdrawn. However, in the given facts and circumstances of the case, we find it appropriate to direct that the minor child, namely, Samuel @ Dussol Alpho Krish, shall be kept in the safe custody of the fourth respondent until an appropriate order has been passed, by an appropriate forum or a Court, in the manner known to law. It is also

made clear that it would be open to the petitioner to seek her reliefs, if any, before the appropriate forum or authority, in the manner known to law.

(M.J.,J.) (T.M.,J.)

09.01.2017

gpa

Note: Issue order copy on 09.01.2017

To

1. The District Collector
Cuddalore
2. The Child Welfare Committee
Cuddalore
3. The Inspector of Police
Reddiarpalayam Police Station
Reddiarpalayam, 111
Puducherry – 605 010
4. Rajesh Kanna
Child Line, 0Cuddalore
5. Ms.S.Dhanalakshmi
Managing Trustee
Angel New Life Children's Home
No.7, Serakuppam Village
Varalur Town Panchayat
Kurinchipadi Taluk
Cuddalore District
6. Ezhumalai
Angel New Life Home Trust
No.7, Serakuppam Village
Varalur Town Panchayat
Kurinchipadi Taluk
Cuddalore District
7. The Public Prosecutor,

High Court, Madras.

M.JAICHANDREN,J.
and
T.MATHIVANAN, J.

gpa

H.C.P.No.2173 of 2016

09.01.2017

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