

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.02.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.MANIKUMAR
and

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

H.C.P. No.2639 of 2016

S.Radha

.. Petitioner

Vs.

1. The Superintendent of Police,
Villupuram District.

2. The Deputy Superintendent of Police,
Kallakurichi Post & Taluk,
Villupuram District.

3. The Inspector of Police,
Kallakurichi Police Station,
Kallakurichi Post & Taluk,
Villupuram District.

4. S.Sakthi

5. Subbaiha

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for a writ of habeas corpus, to direct the 3rd respondent to produce the detinue one Saraswathi, minor daughter of Selvaraj, bodily before this Court and restore the legal custody of the detinue, one Saraswathi, minor daughter of Selvaraj.

For Petitioner : Mr.P.Rajavel

For Respondents

1 to 3

: Mr.V.M.R.Rajentren,

Addl. Public Prosecutor

For 5th Respondent : Mr.T.Balachandran

ORDER

(Order of the Court was made by S.MANIKUMAR, J.)

Alleging illegal detention of the detinue, Ms.Saraswathi, aged 17 years, by respondents 4 and 5, mother of the detinue has filed this Habeas Corpus Petition, for a direction to the Inspector of Police, Kallakurichi Police Station, Kallakurichi

Post & Taluk, Villupuram District, 3rd respondent herein, to produce the detainee, before this Court.

2. Though the fifth respondent has entered appearance and the name of the counsel is shown in the cause list, there is no appearance. Service is awaited for the 4th respondent. However, the Inspector of Police, Kallakurichi Police Station, Kallakurichi Post & Taluk, Villupuram District, 3rd respondent herein, has produced the minor girl, before this Court.

3. On instructions, Mr.V.M.R.Rajentren, learned Additional Public Prosecutor, appearing for respondents 1 to 3, submitted that the fourth respondent has been apprehended and a case in Cr.No.152 of 2007, has been filed under Section 366A IPC., r/w. Section 4 of the POCSO Act., on the file of the Kallakurichi Police Station and he has been remanded to judicial custody.

4. We enquired the minor girl, Ms.Saraswathi and she desires to go with her mother, petitioner herein. Permission is granted.

5. Recording the above, this habeas corpus petition is closed.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

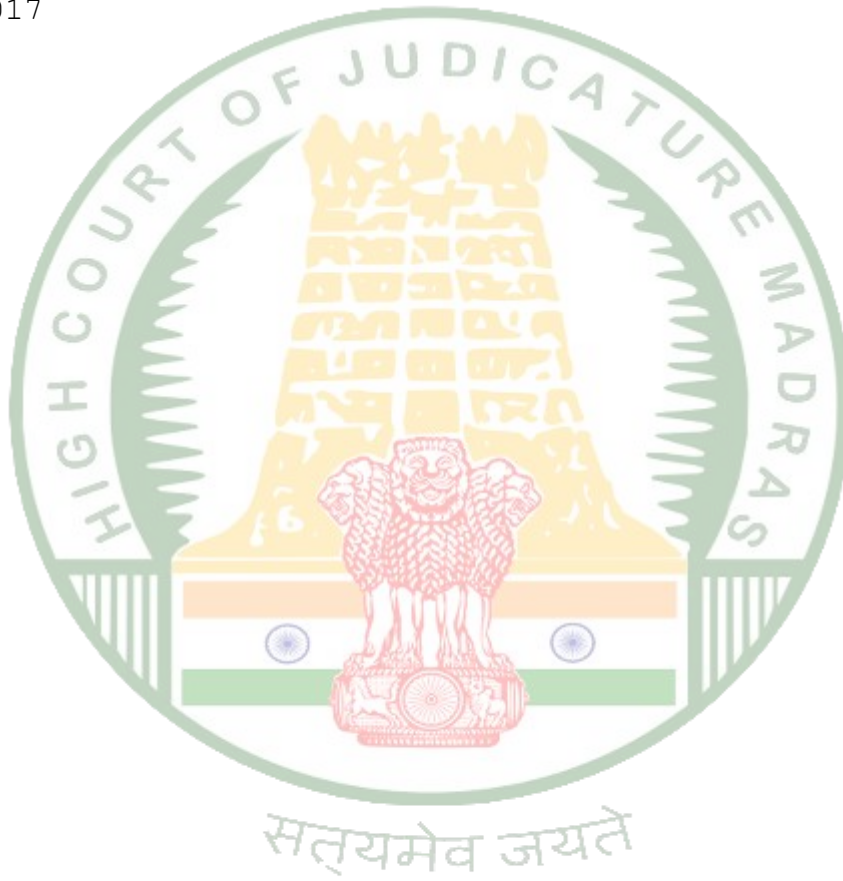
To

1. The Superintendent of Police,
Villupuram District.
2. The Deputy Superintendent of Police,
Kallakurichi Post & Taluk,
Villupuram District.
3. The Inspector of Police,
Kallakurichi Police Station,
Kallakurichi Post & Taluk,
Villupuram District.

4. The Public Prosecutor
High Court, Madras.

HCP No.2639 of 2016

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