



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.10.2017

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBBIAH

AND

WEB COPY THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

H.C.P.[MD].No.1397 of 2017

Bhousiya Beevi

: Petitioner

Vs.

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

2. The Inspector of Police,
Aravakuruchi Police Station,
Karur District.

(Crime No.393 of 2017)

: Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus, directing the respondents to produce the body or person of the petitioner's grand daughter Apsara, daughter of Mujibeer, aged about 16 years, the detenu herein before this Court and handover the custody to the petitioner.

For Petitioner : Mr.R.Gandhi

For Respondents : Mr.A.Ramar
Additional Public Prosecutor

O R D E R

[Order of the Court was made by **R.SUBBIAH, J.**]

The present Habeas Corpus Petition has been filed by the grandmother of the detenu, seeking a Writ of Habeas Corpus, directing the respondents to produce the body or person of the petitioner's grant daughter - Apsara, daughter of Mujibeer, aged about 16 years, the detenu herein before this Court and hand over the custody to the petitioner.

2. The petitioner is the grandmother of the detenu. She has stated that the detenu, namely, Apsara, her grant daughter is studying +1 class in Usman Hasana Oriental Arabi Girls Higher Secondary School in Palapatti, Karur and she was staying in the said School's hostel. While so, on 31.08.2017, the petitioner brought her grand daughter to her house for holidays. After the



holidays, on 05.09.2017, the petitioner took her back to the said school and left her in the hostel. On the very same day, at around 06:00 p.m., when the petitioner called the detenu over phone, she was informed by the school authorities that her grand daughter has gone for studies.

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3. Thereafter, at around 08:00 p.m., the petitioner received a call from the above school Administrator and was informed that her grand daughter was missing. The detenu neither returned to the petitioner's home nor found place in the hostel. The school authorities also have not taken any steps to secure her grand daughter. Hence, the petitioner lodged a complaint before the second respondent and the same was registered in Crime No.393 of 2017. The petitioner and her relatives visited the second respondent police several times and narrated the incident and furnished the information to the second respondent police. But, no action has been taken. Hence, the petitioner, left with no other option, has approached this Court with this Habeas Corpus Petition.

4. Today, when the Habeas Corpus Petition was taken up for consideration, the detenu was produced before this Court. On enquiry, she stated that she had voluntarily left the hostel with one Vijayakumar. The said Vijayakumar left the detenu in the custody of his parents and they have taken care of her. Thereafter, the respondent police secured the detenu and produced her before this Court. The detenu expressed her willingness to go along with her grandmother.

5. The learned Additional Public Prosecutor appearing for the respondents submitted that if any allegation is made against the said Vijayakumar, the respondent police would alter the case and proceed further.

6. Since the detenu has expressed her willingness to go along with her grandmother, recording the statement made by the learned Additional Public Prosecutor, we are of the opinion that there is no necessity to pass any further direction in this regard. The Habeas Corpus Petition is, therefore, closed.

Sd/-

Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar

To

<https://hcservicescourtsupplieservices>
The Superintendent of Police,
Karur District,
Karur.



2. The Inspector of Police,
Aravakuruchi Police Station,
Karur District.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

MR

VB/KK/SAR3/26/10/2017/3P/4C

**ORDER MADE IN
H.C.P. [MD] .No.1397 of 2017
10.10.2017**