



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **23.01.2017**

CORAM:

THE HONOURABLE MR.JUSTICE **R.SUBBIAH**
AND
THE HONOURABLE MRS.JUSTICE **J.NISHA BANU**

H.C.P.[MD].No.58 of 2017

Soundararajan : Petitioner

Vs.

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

2.The Inspector of Police,
Salaigramam Police Station,
Sivagangai District.

: Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus, directing the respondents 1 and 2 to secure the detenu and produce the body or person of the detenu, viz., Udhayasaran, S/o.Soundararajan, aged 15 years, before this Court and hand over the custody of the detenu to the petitioner forthwith.

For Petitioner : Mr.D.Rameshkumar

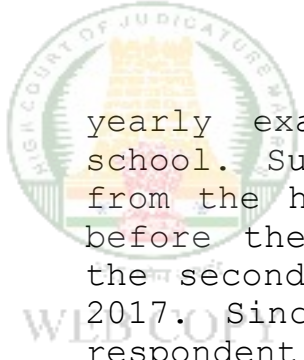
For Respondents : Mr.C.Mayil Vahana Rajendran
Additional Public Prosecutor

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 father of the detenu, seeking a Writ of Habeas Corpus, directing the respondents 1 and 2 to secure the detenu and produce the body or person of the detenu, viz., Udhayasaran, S/o.Soundararajan, aged about 15 years, before this Court and hand over the custody of the detenu to the petitioner forthwith.

2. According to the petitioner, his son has been studying tenth standard in De-Britto School at Devakottai, by staying in hostel. The son of the petitioner came to his house during half-



yearly examination leave and thereafter, he had gone to the school. Subsequently, he came to know that his son was missing from the hostel. In this regard, the petitioner made a complaint before the second respondent. On receipt of the said complaint, the second respondent police registered a case in Crime No.2 of 2017. Since there were no effective steps taken by the second respondent police to trace out the detenu, the petitioner has come up with the present Habeas Corpus Petition.

3. Today, when the Habeas Corpus Petition was taken up for consideration, the second respondent police produced the detenu. On enquiry, he has stated that since he did not like to study by staying in hostel, on his own volition, he went out of the hostel. However, he further submitted that he would like to go to school as a days scholar. The father of the petitioner had stated that he has no objection for the same.

4. Since the detenu is a minor, his custody is handed over to the petitioner. Accordingly, the Habeas Corpus Petition is closed.

Sd/-

Assistant Registrar(P&A)

/True copy/

Sub Assistant Registrar

To

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

2.The Inspector of Police,
Salaigramam Police Station,
Sivagangai District.

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

NB

GJM/MR/09.02.2017 : 2P/4C

ORDER MADE IN
H.C.P. [MD] .No.58 of 2017
23.01.2017