



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.04.2017

CORAM:

THE HONOURABLE Mr.JUSTICE **T.S.SIVAGNANAM**
AND
THE HONOURABLE Mr.JUSTICE **N.SESHASAYEE**

H.C.P. [MD] .No.621 of 2017

Muniyandi : Petitioner

Vs.

1.The Superintendent of Police,
O/o. the Superintendent of Police,
Karur District,
Karur.

2.The Inspector of Police,
Kulithalai Police station,
Kulithalai, Karur District.

3.Thandapani,

4.Kavitha

5.Manohar

: Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus or any other order or direction in the nature of Writ, directing the respondents 1 & 2 to produce the person or body of the petitioner's grand daughter namely Jayapriya, D/o.Balathandapani, aged about 17 years before this Court and hand over her custody to him.

For Petitioner : Mr.RM.Sivakumar

For Respondents : Mr.T.Mohan
Additional Public Prosecutor

O R D E R

[Order of the Court was made by **T.S.SIVAGNANAM, J.**]

The present Habeas Corpus Petition has been filed by the grandfather of the detinue, seeking a Writ of Habeas Corpus, directing the respondents 1 & 2 to produce the person or body of the petitioner's grand daughter namely Jayapriya, D/o.Balathandapani, aged about 17 years before this Court and hand over her custody to him.



2. Pursuant to the earlier direction issued, enquiry has been conducted, from which we find that the Sathish Kumar has been attending the Court for the past two days and it appears that the form has been filled up with the assistance of one other counsel, we make it clear that the said Sathish Kumar was not present in this case and in connection with this H.C.P.(MD).No.621 of 2017, if he is found inside the Court, stringent action will be initiated against him. Statement recorded from him along with the original entry pass and application shall form part of the record.

3. The detainee is willing to join her grandfather. She put certain conditions. We make it clear that she has to pursue her education first and if there is any compulsion to her marriage, it is always open to her to report to the police. At the same time, we have also advised the petitioner/grandfather of the detainee that there should be no compulsion for the detainee to get marriage as she is yet to complete 18 years. Accordingly, the Habeas Corpus Petition is closed. The respondent police is directed to escort the detainee as well as the petitioner/grandfather, so that they safely reach their house.

Sd/-

Assistant Registrar(CS-III)

/True copy/

Sub Assistant Registrar

To

1.The Superintendent of Police,
O/o. the Superintendent of Police,
Karur District,
Karur.

2.The Inspector of Police,
Kulithalai Police station,
Kulithalai, Karur District.

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

+1 cc to Mr.R.M.Sivakumar , Advocate in SR.No. 55396

akv/km

AE/RSK/SAR1/30.05.2017/3P/5C

H.C.P. [MD] .No.621 of 2017
28.04.2017