



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 05.06.2017

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
and
THE HONOURABLE MR.JUSTICE P.VELMURUGAN

H.C.P.(MD) No.758 of 2017

Annapooranam

... Petitioner

-vs-

1.The Commissioner of Police
Madurai City

2.The Inspector of Police
Sellur Police Station
Madurai

3.Rajeshkannan

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus directing the respondents 1 and 2 to produce the person or body of the petitioner's minor daughter namely Vinitha aged 17 years from the illegal custody of the 3rd respondent source before this Court and hand over the detinue to the petitioner's custody.

For Petitioner : Mr.A.Arunprasad

For Respondents : Mr.C.Ramesh

Additional Public Prosecutor for R1 & R2
No appearance for R3

O R D E R

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

The petitioner has filed this habeas corpus petition seeking for a direction upon the respondents 1 and 2 to produce her minor daughter, namely, Vinitha, who is aged about 17 years and pursuing Nursing Course at Madurai, before this Court and set her at liberty.

2. The respondent - Police have produced the detinue before this Court and we have examined the detinue as well as her mother / petitioner.

3. In order to reconcile the dispute arose between the parties, we referred the matter to the Mediation and Conciliation Centre.



4. After mediation, the Mediation and Conciliation Centre submitted a report, dated 05.06.2017, before this Court and from which, it is seen that the petitioner is not willing to accept the minor detinue on account of certain instances, which led to filing of the present Habeas Corpus Petition. The detinue wants to pursue her Nursing Course at Madurai.

5. Considering the fact that the detinue is a minor, we direct the respondent - Police to send the detinue to "Sakthi Vidial Home, Muthupatti, Palanganatham, Madurai, with a specific condition that she should be permitted to pursue her Nursing Course in the Institute at Madurai (Therkkuvasal) and attend the examination.

6. Further, the respondent - Police shall issue appropriate instructions to Sakthi Vidial Home as well as the Institution, where the detinue is pursuing her Nursing Course to make proper arrangements so that the safety and security of the detinue is maintained, simultaneously she is permitted to pursue her course.

7. The habeas corpus petition is disposed of with the above directions.

Sd/-

Assistant Registrar(Writs)

/True copy/

Sub Assistant Registrar

To:

1. The Commissioner of Police,
Madurai City.

2. The Inspector of Police,
Sellur Police Station,
Madurai.

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

Copy to:

The Officer in Charge,
Sakthi Vidiyal Home, Muthupatti, Palangantham, Madurai.

H.C.P. (MD) No.758 of 2017
05.06.2017