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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.01.2017

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBBIAH

AND

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

H.C.P.[MD].No.584 of 2016

Indira

.. Petitioner

Vs.

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

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

3.Ravi

4.Kannan

.. Respondents

PRAYER: Habeas Corpus Petition has been filed under Article 226 of the Constitution of India, directing the respondents 1 and 2 to secure the detenu and produce the body or person of the detenu, petitioner minor daughter P.Pandiselvi, D/o.Pandiarajan, aged 16 years before this Hon'ble Court illegally detained by the 3rd and 4th respondents and hand over the custody of the detenu to the petitioner forthwith.

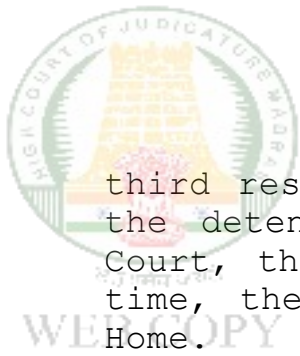
For Petitioner	:	Mr.S.Mahendrapathy
For Respondents 1 & 2	:	Mr.K.S.Duraipandian, Addl. Public Prosecutor

O R D E R

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

The petitioner, who is the mother of the detenu viz., P.Pandiselvi D/o.Pandiarajan, aged about 16 years, has come up with this Habeas Corpus Petition seeking a direction to the respondents to produce the detenu before this Court and to hand over the custody of the detenu to her.

2.When the matter came up for hearing 09.01.2017, the second respondent, Police produced the detenu before this Court. When we enquired, the detenu told that her date of birth is 05.06.1999 and on her own volition, she went along with the



third respondent and now she is pregnant. Since the mother of the detenu viz., the petitioner was not appeared before this Court, the matter was directed to be listed today and till such time, the detenu was directed to be kept in the Sakthi Videal Home.

3.Today, when the matter came up for hearing, the petitioner appeared before us. The detenu was also produced. The petitioner told that she is not interested to take the detenu / daughter back to her home. The said statement is recorded.

4.At this juncture, the learned Additional Public Prosecutor submitted that as on date, the detenu has attained 17 years, 7 months and 6 days and she attains majority on 05.06.2017 and till such time, the detenu may be kept in the same home.

5.In view of the above, the second respondent is directed to send back the detenu to Sakthi Videal Home and on such production, the Chairperson of the Sakthi Videal Home is directed to accommodate her till she attains majority ie., on 05.06.2017. Thereafter, she may be set at liberty.

6.With the above direction, this Habeas Corpus Petition is closed.

Sd/-

Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

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

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

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

4.The Sakthi Vedial Home,
Muthupatti,
Palanganatham,
Madurai.

Order made in
H.C.P.[MD].No.584 of 2016
Dated: 11.01.2017