

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.08.2018

CORAM:

THE HONOURABLE MR.JUSTICE C.T.SELVAM
and
THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

HCP. No.1200 of 2018

Semmalai

... Petitioner

-Vs-

1.The State of Tamil Nadu,
rep. by its Secretary to Government,
Home, Prohibition and Excise Department,
Fort St. George, Chennai-9.

2.Sub Inspector of Police,
Kachirapalayam Police Station,
Chinnasalem Taluk,
Villupuram District.

3.Pratap

4.Govindaraj

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, to direct the respondents herein to produce the body of the detenu by name Tamildevi, aged 17 years, who is the daughter of the petitioner, before this Court and hand over to the petitioner.

For Petitioner : Mr.Venkatesh Mohanraj

For Respondents: Mr.M.Mohamed Riyaz
APP for R1 & R2
Mr.N.S.Kishore Kumar for R4

ORDER

[Order of the Court by C.T.SELVAM, J.]

Petitioner, who is the father of the detenu viz.,
Tamildevi, aged 17 years, sought production of his daughter.

2. Heard learned counsel for petitioner, learned Additional Public Prosecutor for respondents 1 and 2 as also Mr.N.S.Kishore Kumar for fourth respondent.

3. Learned Additional Public Prosecutor submits that the detainee/minor girl, aged 17 years and the third respondent were secured at Kallakurichi by second respondent. A case stands registered in Crime No.339 of 2018 for offence under Section 366-A IPC and the third respondent stands arrested. Third respondent and the detainee were produced before the Mahila Court, Villupuram and recording the statement of the detainee, she has been handed over to the custody of the petitioner/her father. It is also brought to notice that the fourth respondent/father of third respondent has also been arrested and remanded to judicial custody in the said case.

4. The detainee, who is produced before this Court informs that she wishes to continue under care and custody of her father.

5. Recording such position, this Habeas Corpus Petition shall stand closed.

Sd/-
Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

kmi

To:

1. The Secretary to Government,
Home, Prohibition and Excise Department,
Fort St. George, Chennai-9.

2. Sub Inspector of Police,
Kachirapalayam Police Station,
Chinnasalem Taluk,
Villupuram District.

3. The Public Prosecutor
High Court, Madras.

+1cc to Mr.N.S.Kishore Kumar, Advocate, S.R.No. 55254
+1cc to Mr.Venkatesh Mohan Raj, Advocate, S.R.No. 54902

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KK(CO)
GN(10/09/2018)