

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.07.2018

CORAM:

THE HONOURABLE MR. JUSTICE RMT.TEEKAA RAMAN

Crl. R.C. No.788 of 2018

K.Uma

...Petitioner/Mother of the
affected minor girl

Versus

State rep.by its,
The Inspector of Police,
All Women Police Station,
Melmaruvathur,
Kanchipuram District.

...Respondent

PRAYER: The Criminal Revision Petition filed under Section 397 and 401 of the Criminal Procedure Code, to set aside the order passed in C.MP.No.905 of 2018, dated 18.05.2018 on the file of the Sessions Judge, Mahila Court at Chengalpattu and to grant the custody of K.Nagabalammal, Minor girl aged about 18 years to the petitioner.

For Petitioner : Mr.M.Sundaramuthy

For Respondent : Mr.R.Surya Prakash

Government Advocate (Crl.Side)

O R D E R

The petitioner has filed this Criminal revision case seeking to set aside the order dated 18.05.2018 passed in C.MP. No. 905 of 2018, on the file of the Sessions Judge, Mahila Court at Chengalpattu and to grant the custody of his daughter K.Nagabalammal, aged about 18 years to the petitioner.

2. Mr. R. Surya Prakash, learned Government Advocate appearing for the respondent submitted that the school certificate issued by the Head Master of V.K.R.T, Higher secondary School, Thiruvathur, Kancheepuram District indicates the date of birth of the victim girl - K.Nagabalammal as 21.04.2001 and hence she had completed 17 years of age. It is further submitted that the victim girl is now in the custody of the Juvenile Home at Kellys, Chennai.

3. The learned counsel for the petitioner brought to the notice of this Court the letter dated 09.07.2018 written by the victim girl addressed to the Inspector of Police, All Women Police Station, Melmaruvathur, the respondent herein which was sent through the Superintendent of Government Children's Home, Chennai - 600 010 wherein the victim girl expressed her intention to go along with her parents

4. Having regard to the fact that the victim girl is staying in the Juvenile Home from 24.04.2018 and taking into account the age of the victim girl and her intention to go along with her parents, I am of the considered view that the respondent police shall be directed to handover the custody of the minor girl to her parents after complying with all necessary formalities.

4. Accordingly, the impugned order passed by the learned Sessions Judge, Mahila Court at Chengalpattu is set aside. The Criminal Revision Petition is disposed of.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

klr

To

1. THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
MELMARUVATHUR,
KANCHIPURAM DISTRICT.

2. THE SESSIONS JUDGE,
MAHILA COURT AT CHENGALPATTU.

3. THE SPECIAL MAGISTRATE,
JUVENILE JUSTICE COURT,
CHENGALPATTU.

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4. THE SUB JUDGE,
CHENGALPATTU.

5. THE PUBLIC PROSECUTOR,
HIGH COURT, MADRAS.

COPY TO
THE SECTION OFFICER,
CRIMINAL SECTION, HIGH COURT, MADRAS.

+2cc to Mr.M.SUNDARAMURTHY, Advocate, S.R.No.45047

Cr1.R.C.No.788 of 2018

MR(CO)
TR(20/07/2018)



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