

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 23.04.2018

Coram

THE HONOURABLE Mr. JUSTICE M.VENUGOPAL
AND
THE HONOURABLE Mrs. JUSTICE R.HEMALATHA

H.C.P.No.48 of 2018

R.Jothi .. Petitioner
Vs.

1. The State represented by
Superintendent of Police,
Vellore District
2. The Inspector of Police,
Omerabad Police Station,
Vellore District
3. Diwakar
Koil Street, Palur Colony Village
Gudiyatham
Vellore District .. Respondents

Prayer: Petition filed under Article 226 of Constitution of India for issuance of a Writ of Habeas Corpus to direct the Respondents to produce the person or body of the detainee viz., Petitioner's younger daughter namely, R.Sharmila, Daughter of Ramesh aged about 16 years before this Court and set her at liberty forthwith.

For Petitioner : Mr.R.Prem Narayan

For Respondents : Mr.R.Ravichandran for R1 and R2
Government Advocate (Crl.Side)

WEB COPY
O R D E R

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

The petitioner, viz., Tmt.Jothi, has filed the present Writ of Habeas Corpus Petition directing the respondents 1 and 2 to produce the body of the Detenue, namely, R.Sharmila, aged 16 years before this Court.

2. A notice was issued to the respondents and in response to the notice, the Detenue, namely, R.Sharmila, was produced before this Court on 13.04.2018. In the Division Bench, in which one of us is a member interacted with the Detenue on 13.04.2018. She informed to the Court that she was not willing to accompany her mother, therefore, the Detenue was sent to the Government Home for Children, No.300, Purasaiwalkam High Road, Kellys, Chennai- 600 010. Further, the Home Authorities were also directed to give psychological counseling to the Detenue for the period of one week and produce her before this Court on 23.04.2018.

3. Today, Detenue, namely, R.Sharmila is produced before this Court. When we interacted with the detenue, she informed that she fell in love with one Diwakar, who belongs to the same village and went with him on 05.12.2017, since her parents did not agree for their marriage. She further contended that she stayed with him at Ambur and came back on her own, as per the instructions given by the said Diwakar's Counsel. She also contended that she is willing to go with her mother. The learned Government Advocate (Crl.Side) contended that the 1st and 2nd respondents are taking necessary action against the 3rd respondent.

4. It is pertinent to mention that the petitioner is a minor, aged 17 years and her date of birth is 01.06.2001. Since the detenue has expressed her willingness to go with her mother, this Habeas Corpus Petition is disposed of, as no further course of action is necessary.

Sd/-
Assistant Registrar (CS-VIII)

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

ssd

To

1. The State represented by
Superintendent of Police,
Vellore District

WEB COPY

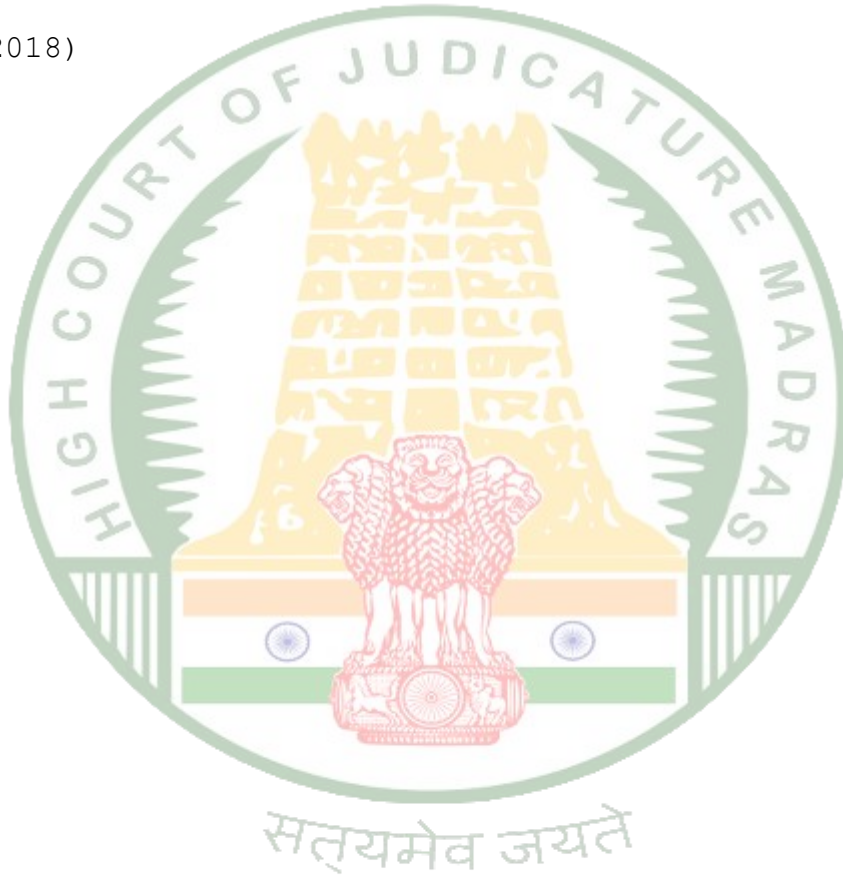
2. The Inspector of Police,
Omerabad Police Station,
Vellore District

3. The Public Prosecutor,
High Court, Madras

+1cc to Mr.R.PREMNRAYAN, Advocate, S.R.No. 30111

H.C.P.No.48 of 2018

SJ(CO)
TR(08/05/2018)



WEB COPY