

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 19.04.2018

CORAM

THE HON'BLE Mr. JUSTICE M.VENUGOPAL
and
THE HON'BLE Mrs. JUSTICE R.HEMALATHA

H.C.P.No.737 of 2018
and
Crl.M.P.No.6194 of 2018

Murugan

.. Petitioner

Vs

1.The Inspector of Police,
Anaikattu Police Station,
Vellore District.

2.Sakthivel

... Respondents

Petition filed under Article 226 of the Constitution of India, praying to issue a WRIT OF HABEAS CORPUS, directing the 1st Respondent police to produce the detainee Lavanya, aged about 17 years before this Court.

For Petitioner : Mr.P.V.Sudakar
For 1st Respondent : Mr.R.Ravichandran
Government Advocate (Crl. Side)

O R D E R

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

The petitioner viz., Murugan has filed the present Petition for issuance of Writ of Habeas Corpus directing the 1st respondent to produce the detainee Lavanya, aged about 17 years before this Court.

2.The contention of the Petitioner is that his daughter Lavanya is aged 17 years and is a minor and that she went missing from home on 02.04.2018. He searched for her, but he could not find out her whereabouts. Therefore, he lodged a complaint with the Inspector of Police, Anaikattu Police Station, Vellore District, which was registered as F.I.R. in Crime Number 55 of 2018 for an alleged offence under Section 366 (A) I.P.C. The specific contention of the petitioner is that the 2nd respondent viz., Sakthivel had abducted her daughter.

3. Notice was issued to the 1st respondent and in response to the notice, the detenu Lavanya was produced before this Court. We interacted with her. She contended that she was born on 05.05.2000 and had studied upto 10th standard at Anaikattu Government Girls High School. She also contended that she fell in love with Sakthivel (2nd respondent herein) and went with him and got married to him on 04.04.2018 at Murugan Temple, Odukkathur, Vellore District and thereafter stayed together. According to her, on the advise of a counsel, she surrendered before the Judicial Magistrate No.5, Vellore, from where she was sent to Vasantham Short Stay Home for Women and Children, Ariyur, Vellore District as she refused to go with her parents.

4. The contention of the learned Government Advocate (Crl.Side) is that action is being taken by the Police to arrest the 2nd respondent herein.

5. The detenu Lavanya is aged 17 years and is a minor. She expressed her willingness to go with her father. Considering her request, she is sentf along with her father Murugan, who is also present today in Court.

6. It is brought to the knowledge of this Court that the next hearing date in the Court of Judicial Magistrate No.5, Vellore is fixed on 27.04.2018. The petitioner should co-operate with the Police for producing his minor daughter before the concerned Court for further course of action. Since the detenu Lavanya is sent along with her father today, nothing survives for further adjudication and the Writ of Habeas Corpus Petition is disposed of. Connected Miscellaneous Petition is closed.

s/d-

Assistant Registrar (CS-V)

True Copy

Sub-Assistant Registrar

Sgl

To

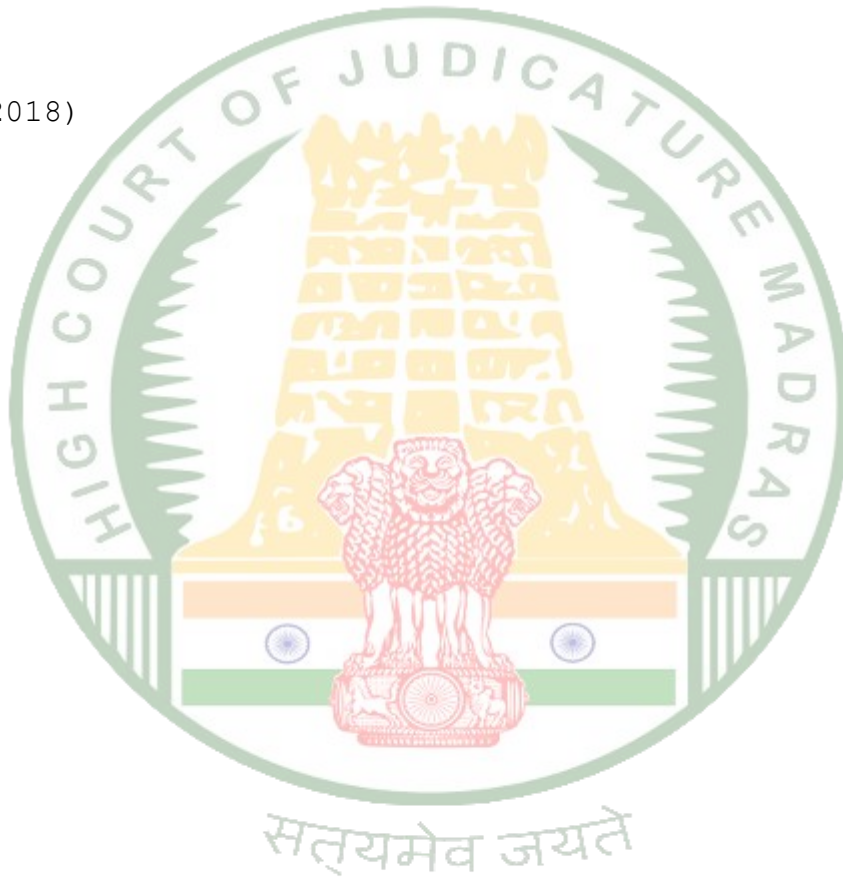
1. The Inspector of Police,
Anaikattu Police Station,
Vellore District.

2. The Judicial Magistrate V
Vellore.

3.The Public Prosecutor,
High Court, Madras.

H.C.P.No.737 of 2018

PVS (CO)
SP(10/05/2018)



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