



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 07.02.2018

Coram :-

THE HON'BLE DR.JUSTICE S.VIMALA

and

THE HON'BLE MRS.JUSTICE T.KRISHNAVALLI

Habeas Corpus Petition No.153 of 2018

A.Velmurugan

... Petitioner

-vs-

1. The Superintendent of Police
Tirunelveli District.
2. The Inspector of Police
Tirunelveli Taluk Police Station,
Tirunelveli District
3. The Inspector of Police,
Government Railway Police
Madurai Junction Railway Station,
Madurai.
4. Suresh
5. Pandi
6. Mayandi ... Respondents

Prayer: Habeas Corpus Petition is filed under Article 226 of Constitution of India, seeking a direction to the respondents herein to produce the body of the detenu, namely, Dhanalakshmi, Minor daughter of Velmurugan, aged 17 years, before this Court and hand over her custody to the petitioner.

For Petitioner	: Mr.R.Pon Karthikeyan
For Respondents	: Mr.C.Ramesh for RR1 to RR3 Addl. Public Prosecutor

O R D E R

(Order of the Court was made by S.Vimala,J.,)

The petitioner, who is the father of detenu, has moved this petition for a direction to the Respondent Nos.1 and 2 to produce his daughter, namely, Dhanalakshmi, aged about 17 years before



this Court and set her at liberty.

2. According to the petitioner / father of detenu, the detenu, Dhanalakshmi, aged 17 years, was originally found missing from 04.12.2017 and at that time, on the complaint lodged given by the petitioner, a case has been registered in Crime No.381/2017 for 'girl missing'. Later on, the girl was traced out and she had been produced before the Child Welfare Committee and the custody had been entrusted to the father/the petitioner herein.

3. There is a second complaint by the petitioner/father, in which, it is stated that while the petitioner's father was travelling along with his daughter and while the grandfather was asleep, the detenu went out of the train and escaped.

4. The learned Additional Public Prosecutor would submit that a statement under Section 164 Cr.P.C. of the victim girl has also been recorded, in which, she has stated that the third respondent is her relative and she had been in love with him for the past three years, as the said love was not to the liking of the parents, both of them eloped and married on 09.12.2017.

5. The parents are expected to show some responsibility, while making statement or while filing petitions before this Court. Nowhere in the petition, it is stated that the nature of the problem was love affair of the detenu/victim girl with the third respondent. The girl requires counselling and some mediation. Repeated filing of petitions and utilising the services of the respondents 1 to 3 is not going to solve the issue.

6. Recording the statement of the detenu, this Habeas Corpus Petition is closed with a direction to the respondent police, 1 and 2, to communicate the petitioner, as and when, the whereabouts of the detenu is known to them.

Sd/-

Assistant Registrar(Crl side)

/True Copy/

Sub Assistant Registrar

To:

1. The Superintendent of Police
Tirunelveli District.
2. The Inspector of Police
Tirunelveli Taluk Police Station,
Tirunelveli District



3. The Inspector of Police,
Government Railway Police
Madurai Junction Railway Station,
Madurai.

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

+ 1 cc TO Mr.R.Pon Karthikeyan , Advocate in SR No. 47012

RR

AE/SV MMS/SAR4/23.02.2018/3P/6C

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