



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 26.03.2018
CORAM:

THE HONOURABLE DR. JUSTICE S.VIMALA
AND
THE HONOURABLE MRS. JUSTICE T.KRISHNAVALLI

HCP [MD].No.318 of 2018

Shanmugam : Petitioner
Vs.

1.The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.

2.The Inspector of Police,
Chatrakudi Police Station,
Ramanathapuram District.

3.Kalirajan

4.Meenal : Respondents

PRAYER: Habeas Corpus Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Habeas Corpus directing the respondents 1 and 2 to produce the body or person of the petitioner's minor daughter namely Nivetha, D/o.Shanmugam, aged about 17 years before this Court and set her at liberty.

For Petitioner	: Mr.R.Boominathan
For R1 and R2	: Mr.K.Dinesh Banu
	Additional Public Prosecutor
For R3 and R4	: Mr.A.Arputharaj

ORDER

[Order of the Court was made by S.VIMALA, J]

This petition has been filed by the petitioner, who is the father, to produce his daughter, namely, Nivetha, D/o.Shanmugam, aged about 17 years, who went missing from 24.02.2018. Since her whereabouts are not known, the petitioner preferred a complaint to the respondents police and the same has been registered in Crime No.31 of 2018. However, since no effective steps were taken, the petitioner is before this Court.

2.We have heard the learned counsel for the petitioner; the learned Additional Public Prosecutor for the respondents 1 and 2 and the learned counsel for the respondents 3 and 4. We have also perused the records carefully.



3.The respondents police have produced the detenue, namely, Nivetha along with her father, before this Court. The fourth respondent, who is the mother of the third respondent is present. The third respondent is absent.

4.The petitioner/father of the detenue would submit that he even after the death of his wife, without resorting to another marriage, was bringing up his two daughters viz., Nivetha and Karthiga, while so, the victim girl, elder of the two, who is a minor, has eloped with the third respondent and therefore, he sought for the custody of his daughter. But at the same time, the detenue would submit that she is not inclined to go along with the petitioner/father wanted to be at Government Home.

5.Recording the submission of the victim girl, she is directed to be produced before Sathya Government Home, Ramanathapuram and she is also directed to be produced before the Child Welfare Committee, Ramanathapuram District and in which case, the Child Welfare Committee, Ramanathapuram, shall take all initiatives to get her education revived and to take all other measures.

Sd/-
Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To

- 1.The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.
- 2.The Inspector of Police,
Chatrakudi Police Station,
Ramanathapuram District.
- 3.Sathya Government Home, Ramanathapuram.
- 4.The Child Welfare Committee,
Ramanathapuram District.
- 5.The Additional Public Prosecutor
Madurai Bench of Madras High Court,
Madurai.

+1cc to M/S.A.Arputharaj, Advocate SR.No. 57895

ORDER MADE IN
HCP .[MD].No.318 of 2018
26.03.2018

rj2

JM/SKN RSK/SAR 1/26.03.2018/2P/7C

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