



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.05.2018

CORAM:

THE HONOURABLE MR.JUSTICE **M.SUNDAR**
AND
THE HONOURABLE DR.JUSTICE **ANITA SUMANTH**

H.C.P. [MD] .No.695 of 2018

Sundarrajan : Petitioner

Vs.

1.The Inspector of Police,
Watrap Police Station,
Virudhunagar District.

2.Karthik
3.Kaliraj
4.Mariammal
5.Thileepan
6.Suresh

: Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus, directing the first respondent to produce the body or person of the detenu, namely, S.Priyadharshini, aged 17 years, daughter of the petitioner before this Court and hand over her custody to the petitioner.

For Petitioner : Mr.G.Thalaimutharasu

For Respondents : Mr.K.Dinesh Babu, - for R1
Additional Public Prosecutor

O R D E R

[Order of the Court was made by **M.SUNDAR, J.**]

This Habeas Corpus Petition has been filed by one Sundarrajan, seeking production of his daughter Priyadharshini and according to him, she is aged 17 years.

2. The case of the petitioner is that Priyadharshini (hereinafter referred as "the detenu" for the sake of convenience and clarity), went missing from 07.05.2018.

3. The petitioner has submitted that he has one son and one daughter. The detenu is the daughter.



4. It is the case of the petitioner that the detenu is studying Diploma Course in Catering Technology in Oscar Catering College, Rajapalayam and that she did not return home, after going college on 07.05.2018.

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5. It is the specific case of the petitioner (as per the averments made in the affidavit filed in support of this petition) that the respondents 2 to 6 (to be noted that the respondents 2 to 6 are private respondents) abducted the detenu. It is also the case of the petitioner that he lodged a complaint with the first respondent ie., the Inspector of Police, Watrap Police Station, Virudhunagar District.

6. Thereafter, though the complaint was lodged only on 08.05.2018, alleging inaction, the instant Habeas Corpus Petition has been filed on 14.05.2018.

7. When the matter was listed for admission today, Mr.G.Thalaimutharasu, learned counsel was before us on behalf of the petitioner and Mr.K.Dinesh Babu, learned Additional Public Prosecutor, was before us on behalf of the sole Official respondent ie., the first respondent.

8. The learned Additional Public Prosecutor submitted that the detenu has been brought to Court.

9. The detenu ie., Priyadharshini was before us.

10. We had the benefit of talking to the detenu.

11. The detenu confirmed that her date of birth is 08.07.2000.

12. The detenu, therefore, is a minor (as of today).

13. The detenu submitted that she did not go back home on 07.05.2018 as she was admonished by her mother.

14. Be that as it may, the detenu expressed regret for not returning home and she affirmed that she would ensure that such conduct does not recur.

15. The Station House Officer, who is the first respondent was also present before this Court instructing the learned Additional Public Prosecutor.

16. The petitioner Sundarrajan along with his spouse was present before us. In other words, both the parents of the minor detenu were before us.



17. We had the benefit of having short interaction with the parents of the detenu also. They were more than happy to take back the child.

18. Considering the narrow scope of this Habeas Corpus Petition, nothing more survives in this Habeas Corpus Petition. Accordingly, this Habeas Corpus Petition is disposed of recording the above facts and recording the above trajectory of hearing today.

Sd/-

Vacation Officer(Crl side)

/True Copy/

Sub Assistant Registrar

To

1. The Inspector of Police,
Watrap Police Station,
Virudhunagar District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

RM/PM

AE/KKR/SAR1/30.05.2018/3P/3C

ORDER MADE IN
H.C.P. [MD] .No.695 of 2018
16.05.2018