



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 18.07.2018

CORAM:

THE HONOURABLE Mr. JUSTICE C.T.SELVAM

and

THE HONOURABLE Mr. JUSTICE A.M.BASHEER AHAMED

H.C.P. (MD) No.756 of 2018

S.Sankarasubbu

... Petitioner

Vs.

1.The Commissioner of Police,
Tirunelveli City,
Tirunelveli.

2.The Assistant Commissioner of Police,
Tirunelveli City,
Tirunelveli.

3.The Inspector of Police,
Junction Police Station,
Tirunelveli.

... Respondents

PRAYER: The petition filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus, directing the Respondents 1 to 3 to produce the body or person of the detainee namely Suganya (aged 15 years) D/o. Sankarasubbu before this Hon'ble Court and to hand over her to the Petitioner.

For Petitioner : Mr.V.Kannan

For Respondents : Mr.K.Dinesh Babu
Additional Public Prosecutor

ORDER

(Order of the Court was made by C.T. SELVAM,J.)

This petition has been filed by the father, seeking production of his daughter, Suganya, aged 15 years.

2.Learned Additional Public Prosecutor for respondents submits that the detainee a minor girl, aged 15 years was gone to the custody of one Arul Lingam and a case in Crime No.143 of 2018 on the file of third respondent stands registered and the detainee has been housed at Saranalayam, Tirunelveli.

3.The detainee, minor daughter of the petitioner, has been produced by the third respondent. Second respondent has produced the daughter of the petitioner. She informs, she has been wrongfully been taken away from parental custody and that she wishes to return



thereto. Petitioner also desirous of taking his daughter to home straightaway.

4. In the circumstances, this petition shall be closed with a direction to the third respondent to cause the production of the detainee before the Chairman and Members, Child Welfare Committee, Tirunelveli Junction, Saranalayam, Tirunelveli - 627 002 today itself for completion of necessary formalities, whereupon the detainee shall be handed over to the custody of the father/petitioner. The process shall be completed by today itself by the Home concerned.

Sd/
Assistant Registrar (CS-I)

/True copy/

Sub Assistant Registrar

To

1. The Commissioner of Police,
Tirunelveli City,
Tirunelveli.
2. The Assistant Commissioner of Police,
Tirunelveli City,
Tirunelveli.
3. The Inspector of Police,
Junction Police Station,
Tirunelveli.
4. The Chairman and member,
Child Welfare Committee,
Tirunelveli Junction, Saranalayam,
Tirunelveli.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

H.C.P. (MD) No. 756 of 2018
18.07.2018

SJ
KK/RP/SAR-1/18.07.2018/2P-6C/