



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **19.11.2018**

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBBIAH

AND

THE HONOURABLE MRS. JUSTICE R.THARANI

H.C.P.(MD)No.1550 of 2018

Palaniammal

: Petitioner

Vs.

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

2. The Inspector of Police,
Sakottai Police Station,
Sakottai,
Sivagangai District.

3. The Officer Incharge,
Sakthi Vidiyal Home,
21, Kennet Nagar,
Muthupatti East,
Madurai-625 003.

: Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India praying for the issue of a Writ of Habeas Corpus, to direct the respondents to produce the detenu, the petitioner's younger sister minor Sangeetha, aged about 15 years old, daughter of Late.Subbaiah and hand over the custody to the petitioner.

For Petitioner : Mr.T.Indrachithu

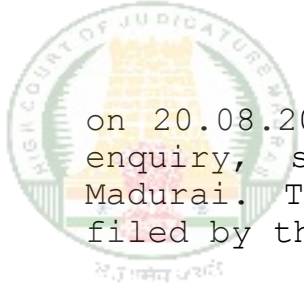
For Respondents : Mr.K.Dinesh Babu
Additional Public Prosecutor

ORDER

[Order of the Court was made by **R.SUBBIAH, J**]

This Habeas Corpus Petition has been filed by the petitioner to produce her sister namely, Minor Sangeetha, aged about 15 years.

2.In the affidavit filed in support of this Petition, it has been averred that after the death of the parents, the detenu was staying with her maternal grandmother. While so, the detenu was found missing. Hence, the detenu's paternal grandmother preferred a complaint to the respondents 1 and 2. Since the respondents 1 and 2 did not take any steps to secure the detenu, the detenu's paternal grandmother filed a Habeas Corpus Petition in H.C.P(MD).No.1172 of 2018 before this Court. When the said petition came up for hearing



on 20.08.2018, the detenu was produced before this Court and after enquiry, she was directed to be kept in Sakthi Vidiyal Home, Madurai. Thereafter, the present Habeas Corpus Petition has been filed by the elder sister of the detenu.

3. When the matter is taken up today, the detenu has been produced by the respondent police. On enquiry, the detenu, who is a minor, expressed her willingness to go along with the petitioner herein and the petitioner also stated that she will take care of the detenu.

4. Since the detenu expressed her willingness to go along with the petitioner herein, there is no need for further adjudication in this matter. Accordingly, this petition is closed.

Sd/-
Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar(CS-II)

To

1. The Superintendent of Police,
Sivagangai,
Sivagangai District.
2. The Inspector of Police,
Sakottai Police Station,
Sakottai,
Sivagangai District.
3. The Officer Incharge,
Sakthi Vidiyal Home,
21, Kennet Nagar,
Muthupatti East,
Madurai-625 003.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to M.Malaimaran, Advocate Sr.No.95873

NS

KM/BK/SAR1/18.12.2018/2P/6C

Order made in
H.C.P. (MD) No.1550 of 2018
Dated: 19.11.2018