

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.01.2019

CORAM:

THE HONOURABLE Mr. JUSTICE C.T.SELVAM  
AND  
THE HONOURABLE Mrs. JUSTICE S.RAMATHILAGAM

H.C.P.No.227 of 2019

A.Fathima Kalaiyarasi

... Petitioner

-Vs-

1.The Inspector of Police,  
Andimadam Police Station,  
Andimadam, Ariyalur District.

2.Surya  
S/o.Minor @ Ayyaryettu

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, to direct the first respondent to produce the petitioner's daughter namely Panciya, aged about 17 years, daughter of Anthony Samy before this Court, from the illegal custody of the second respondent and hand over to the petitioner.

For Petitioner : Mr.P.Shanmugam

For Respondents : Mr.R.Prathap Kumar  
Additional Public Prosecutor  
for R1

ORDER

[Order of the Court was made by C.T.SELVAM, J.]

Petitioner, who is the mother of the detainee viz., Panciya, aged 17 years, sought production of her daughter.

2. We have heard learned counsel for petitioner as also learned Additional Public Prosecutor for first respondent.

3. The detainee has been traced by the respondent police, she having been found in the company of second respondent. Second respondent has been remanded to custody in connection

with a case registered on the complaint of the petitioner/mother of the detainee, in Crime No.06/2019 on the file of first respondent. Subsequently, the detainee has been placed under the custody of the petitioner/mother of the detainee. Both petitioner/mother as also her daughter/detainee are present before this Court. The detainee fears for her life and states that she is not willing to return to the parental home.

4. In the circumstance, first respondent is directed to place the detainee, who is, as on date a minor, under custody of Child Home, Gaja Malai Colony, Anna Stadium Road, Trichy, till the date she attains majority.

5. Accordingly, this Habeas Corpus Petition shall stand closed.

Sd/-  
Assistant Registrar (CO)

//True copy//

Sub Assistant Registrar

kmi

To:

1. The Inspector of Police,  
Andimadam Police Station,  
Andimadam, Ariyalur District.
2. The Public Prosecutor,  
High Court, Madras.
3. The Secretary,  
Child Home, Gaja Malai Colony,  
Anna Stadium Road, Trichy.

H.C.P.No.227 of 2019

MG (CO)  
GMY (22/02/2019)

WEB COPY