

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.11.2019

Coram

The Hon'ble Mr. Justice M.M.SUNDRESH
and
The Hon'ble Mr. Justice RMT. TEEKAA RAMAN

H.C.P. No. 1459 of 2018

S.Sakunthala ... Petitioner/mother of detenue

-vs-

- 1.The State of Tamil Nadu,
Rep. by its Secretary to Government,
Home Department (Prisons),
Secretariat, Fort St.George,
Chennai.
- 2.The Additional Director General of Prisons,
No.2, Gandhi Irwin Salai, Chennai.
- 3.The Superintendent,
Cuddalore Prison, Cuddalore.
- 4.The Juvenile Justice Board,
Rep. by its Secretary,
Observation Home Campus,
Anna Nagar Savadi,
Cuddalore - 607 001.

... Respondents

Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus directing respondents 1 and 2 to produce corpus of the detenu Harikaran, aged 27 years, son of Shankar, before this Court and set him at liberty.

For Petitioner : Mr.E.Aadith Vijay

For Respondents : Mr.R.Prathap Kumar
: Addl. Public Prosecutor
for R1 to R3

: No appearance for R4

ORDER

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

Seeking a direction to respondents 1 and 2 to produce corpus of the detenu Harikaran, aged 27 years, son of Shankar, before this Court and to set him at liberty, the present Habeas Corpus Petition has been filed.

2. The petitioner who is the mother of the detenu has filed this writ petition seeking a direction to produce him on the premise that he is minor at the time of committing the offence.

3. Taking note of the averments in the affidavit and the documents filed, we directed the Juvenile Justice Board, Cuddalore to conduct an inquiry. Accordingly, a detailed report has been furnished before us dated 01.10.2019. The report would clearly indicate that juvenility as claimed by the petitioner is based upon the fabricated documents.

4. In view of the above, we are inclined to dismiss this Habeas Corpus Petition. Accordingly, the Habeas Corpus Petition is dismissed.

5. The learned counsel appearing for the petitioner sought for a copy of the aforesaid report. Registry is directed to give a copy of the report of the Juvenile Justice Board to the petitioner on making an application in that regard. Liberty is also given to the petitioner to work out the remedy on receipt of the same.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

mmi/ssm

To

1.The Secretary to Government,
Home Department (Prisons),
Secretariat, Fort St.George,
Chennai.

2.The Additional Director General of Prisons,
No.2, Gandhi Irwin Salai, Chennai.

3.The Superintendent,
Cuddalore Prison, Cuddalore.

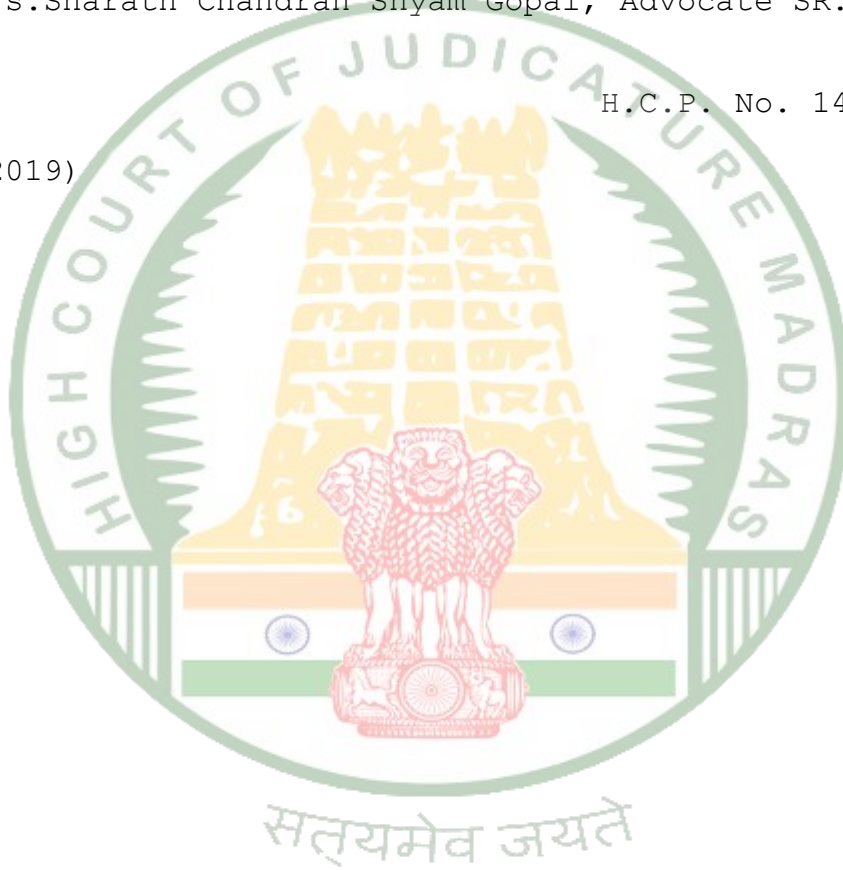
4.The Juvenile Justice Board,
Rep. by its Secretary,
Observation Home Campus,
Anna Nagar Savadi,
Cuddalore - 607 001.

5.The Public Prosecutor,
High Court, Madras.

+1cc to M/s.Sharath Chandran Shyam Gopal, Advocate SR.92883

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BS (CO)
CB(13/12/2019)



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