

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.07.2019

Coram

The Hon'ble Mr. Justice M.M.SUNDRESH
and
The Hon'ble Mr. Justice M.NIRMAL KUMAR

H.C.P.Nos.996 and 1088 of 2019

H.C.P.No.996 of 2019

Palani ... Petitioner

Vs

1. The Superintendent of Police,
Tiruvannamalai District,
Tiruvannamalai.
2. The Deputy Superintendent of
Police, Polur,
Tiruvannamalai District.
3. The Inspector of Police,
Polur Police Station,
Polur, Tiruvannamalai District.
4. Srinivasan
5. Vetri .. Respondents

H.C.P.No.1088 of 2019

S.Elumalai .. Petitioner

Vs

1. State rep. by
Inspector of Police,
Polur Police Station,
Thiruvannamalai District.
2. The Superintendent of Police,
Thiruvannamalai District,
Thiruvannamalai.

WEB COPY

3. Seenu @ Srinivasan

.. Respondents

(R3 impleaded vide order dated
29.07.2019 in CrI.M.P.No.9665
of 2019 in H.C.P.No.1088 of 2019)

Prayer in H.C.P.No.996 of 2019: Petition filed under Article 226 of the Constitution of India praying for a writ of habeas corpus, directing the third respondent to produce the detenu Yuvasakthi, D/o.Palani, aged 17 years, residing at No.20/59, Balakanaiyan Street, Polur, Tiruvannamalai District from the illegal custody of the 4th and 5th respondents before this Court and give custody to the petitioner herein.

Prayer in H.C.P.No.1088 of 2019: Petition filed under Article 226 of the Constitution of India praying for a writ of habeas corpus, directing the respondents to produce the detenu, the petitioner's son namely Seeni @ Srinivasan, S/o.Elumalai, aged about 22 years and produce before this Court and set him at liberty.

For Petitioner ... Mr.B.Jawahar
in H.C.P.No.996 of 2019
Mr.J.C.Duraiaraj
in H.C.P.No.1088 of 2019

For Respondents.. Mr.C.Iyyappa Raj,
Addl. Public Prosecutor
for R1 to R3 in H.C.P.No.996
of 2019 and
for R1 and R2
in H.C.P.No.1088 of 2019
Mr.Ramesh Kumar Chopra
for R3 in H.C.P.No.1088 of 2019

COMMON ORDER

(Order of the Court was made by M.M.SUNDRESH, J.)

H.C.P.No.996 of 2019 has been filed by the father of the detenu who is a minor girl. H.C.P.No.1088 of 2019 has been filed by the father of the boy with whom the minor girl is said to have eloped.

2.Today, both the petitioners and the detenus are present before this Court.

3.Two facts emerge from the interaction we had with the parties. The detenu in H.C.P.No.996 of 2019 is a minor as of now and she has got one more month to attain majority. She has given a different version for leaving the parental home. She has

made certain allegations which made her to leave the parental home.

4.We are not willing to go into the veracity of the statements made before us. Suffice it to direct the Inspector of Police, Polur, Thiruvannamalai District to have a thorough investigation on the complaint made by the petitioner in H.C.P.No.996 of 2019 and the statement made by the detinue in the aforesaid case. Therefore, the investigation would include both the complaint made by the petitioner in H.C.P.No.996 of 2019 and the case as projected by the detinue therein. As the detinue is attaining majority on 26.08.2019, she shall continue to be in the very same Home viz., Madras Christian Council of Social Service, Jawahar Nagar, Perambur, Chennai, till such time and thereafter it is for her to take a call.

5.It is made clear that if the detinue gets admission in any one of the colleges in the city, this order will not stand in the way of her attending the college.

6.With the aforesaid observation and direction, these habeas corpus petitions stand closed.

Sd/-

Assistant Registrar(CCC)

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To

Sub Assistant Registrar

1. The Superintendent of Police,
Tiruvannamalai District, Tiruvannamalai.
2. The Deputy Superintendent of
Police, Polur, Tiruvannamalai District.
3. The Inspector of Police,
Polur Police Station,
Polur, Tiruvannamalai District.
4. The Public Prosecutor, High Court, Madras.
5. The Madras Christian Council of Social Service,
Jawahar Nagar, Perambur, Chennai

+1 cc to Mr.Ramesh Kumar Chopra, Advocate, S.R.No.64558

+1 cc to Mr.J.C.Durairaj, Advocate, S.R.No.64574

+1 cc to Mr.G.Ravikumar, Advocate, **S.R.No.64411**

H.C.P.Nos.996 and
1088 of 2019

PPA(CO)

SSM(13/08/2019) **SSM(27/08/2019)**