

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.09.2019

Coram

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

H.C.P. No. 2033 of 2019

Saravanan

..Petitioner

Vs.

1.State Rep. by its
Inspector of Police,
Kalasapakkam Police Station,
Tiruvannamalai District,
Crime No. 366/2019.

2.Kasi Viswanathan
3.Bharathi
4.Gantharubi
5.Murugan

.... Respondents

Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus directing the respondents to produce the body of the detenu 'Minor Boomika' D/o. Saravanan, female, aged 17 years before this Court from illegal custody of respondents 2 to 5 and to hand over the petitioner.

For Petitioner : Mr.S.Vediyappan

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

ORDER

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

The petitioner, who is the father of the detenu, seeks custody on the ground of the minority of the detenu.

2. The learned Additional Public Prosecutor appearing for the first respondent submitted that the school certificate shows that the detenu is a major. Her marriage has been registered. Both the petitioner and the detenu are living in nearby villages. He further submitted that the factum of marriage is known to the petitioner.

3. Thus, we do not find any illegal detention involved in this case. The question as to whether the detainee has attained majority or not is a matter for investigation. Therefore, closing of this habeas corpus petition will not prevent the investigating agency to go into the question and find out as to whether the birth certificate or the school certificate is correct one. The first respondent/police shall conclude the investigation within a period of eight weeks from the date of receipt of a copy of this order.

4. With the above direction, the Habeas Corpus Petition stands closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Inspector of Police,
Kalasapakkam Police Station,
Tiruvannamalai District.

2. The Public Prosecutor,
High Court, Madras.

+1 cc to M/s.S.Vediappan, Advocate Sr.No. 80053

AKM/17.10.19/2P- 4C /
AKM/01.11.19

सत्यमेव जयते

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