

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.11.2019

Coram

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

H.C.P. No.2304 of 2019

D.Santhi

... Petitioner

-vs-

1.The Inspector
T-7, Tank Factory Police Station,
H.V.F. Avadi,
Chennai - 600 002.

2.Tamil Nadu Social Welfare Officer,
Tiruvallur Collector Office,
Tiruvallur.

3.Manushya Swadhar Shelter Home,
Plot No.3, Door No.7/12,
3rd Street Bakiyalakshmi Nagar,
Alapakkam, Chennai

... Respondents

Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus directing the 1st respondent to produce Ms.Deepa, aged about 21 years, before this Court from the 3rd respondent custody and set liberty and free to continue her studies.

सत्यमेव जयते

For Petitioner : Mr.V.Kumaresan

For Respondents : Mr.R.Prathap Kumar
: Addl. Public Prosecutor
for R1,R2

: Mr.G.Babu for R3

ORDER

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

The petitioner being a public spirited person and with the intention to take care of the detinue has come forward to file this Habeas Corpus Petition seeking custody from the third respondent.

2. From the interaction with the detinue, who is present today, we find that she having been born on 06.05.1999, is ready and willing to be with the petitioner. Thus, she being a major, there cannot be any legal impediment for doing so.

3. It has been informed by the detinue that in the erstwhile Home in which she was staying by name, Balagurukulam, situated at Ambattur, Chennai, she was sexually harassed and therefore, a complaint has been filed and the matter is pending before the Court. Incidentally, she has submitted that all her records are with the above said Home. She is desirous of continuing her studies, therefore, appropriate direction will have to be issued to return the aforesaid certificates belonging to her.

4. In view of the above, we direct the detinue to be with the petitioner. We further direct the Inspector of Police, Ambattur to see to it that the certificates belonging to the detinue are secured from the Balagurukulam and either the petitioner or the detinue can approach the Inspector of Police, Ambattur for the aforesaid purpose. The detinue is directed to comply with the formalities with the third respondent before joining the petitioner.

5. Accordingly, the Habeas Corpus Petition stands closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1.The Inspector
T-7, Tank Factory Police Station,
H.V.F. Avadi,
Chennai - 600 002.

2.Tamil Nadu Social Welfare Officer,
Tiruvallur Collector Office,
Tiruvallur.

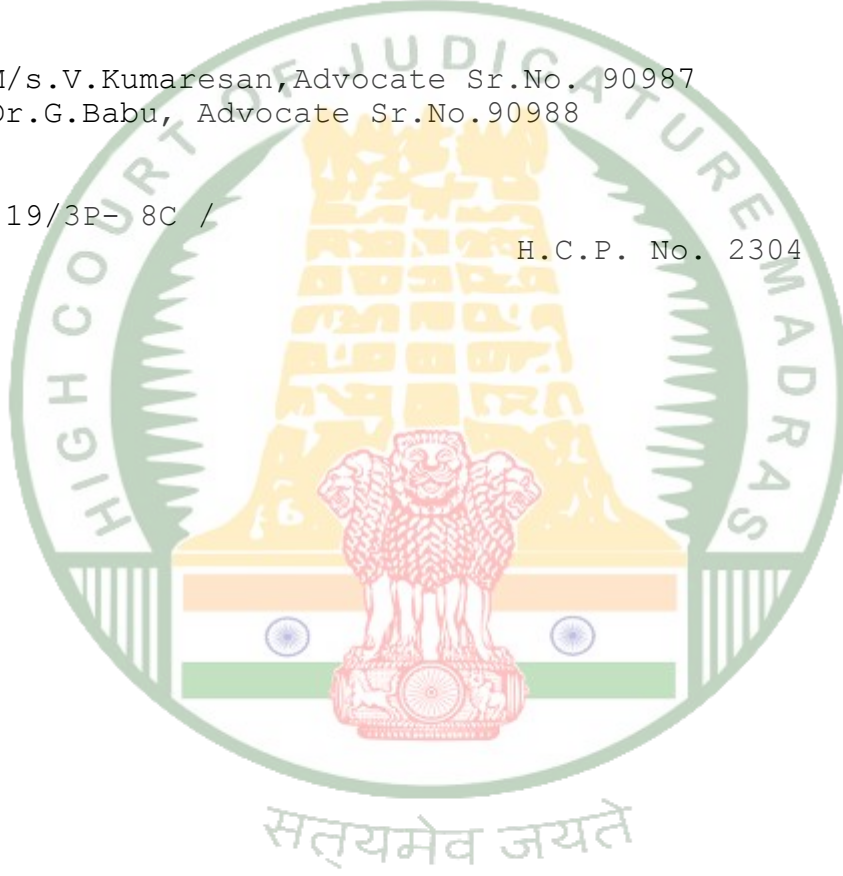
3.The Public Prosecutor,
High Court, Madras.

4.The Inspector of Police,
Ambattur.

+1 cc to M/s.V.Kumaresan, Advocate Sr.No.90987
+2 cc to Dr.G.Babu, Advocate Sr.No.90988

AKM/03.12.19/3P- 8C /

H.C.P. No. 2304 of 2019



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