



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.08.2019

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN
and
THE HONOURABLE MR.JUSTICE B.PUGALENDHI

H.C.P (MD)No.350 of 2019

Latha

... Petitioner

Vs.

- 1.The Superintendent of Police,
Thoothukudi District.
- 2.The Inspector of Police,
East Police Station,
Kovilpatti,
Thoothukudi District.

... Respondents

Prayer: Habeas Corpus Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Habeas Corpus, directing the Respondents to produce the body or person of the petitioner's minor son namely Esakkimuthu S/o. Late Kanthaperumal, aged about 16 years before this Hon'ble Court and hand over the custody of him to the petitioner

For Petitioner : Mr.S.Siva Ilayaraja

For Respondents : Mr.K.Dinesh Babu
Additional Public Prosecutor

O R D E R

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

The petitioner is the mother of the detenu viz., Esakkimuthu, aged about 16 years [02.12.2003] and alleging that he is missing from 17.12.2018 onwards, she lodged a complaint, based on which, the second respondent registered a case in Crime No.19 of 2019 for boy missing.

2.A mention was made by Mr.K.Dinesh Babu, learned Additional Public Prosecutor appearing for the respondents for the reason that the detenu has been traced and produced and accordingly, this case has been taken out of turn.



3.The detenu would state that he was scolded by his mother and on his own volition he left the house and doing mason work at Tiruchendur and now he is willing to go back with his mother. The petitioner would state that she is willing to take care of his son.

4.In the facts and circumstances of the case, the custody of the minor detenu is entrusted to the petitioner, who is present before this Court.

5.This Habeas Corpus Petition is disposed of accordingly.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

Sub Assistant Registrar(CS)

To

1.The Superintendent of Police,
Thoothukudi District.

2.The Inspector of Police,
East Police Station,
Kovilpatti,
Thoothukudi District.

Copy to:

The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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sj
JMN(23.09.2019) 2P : 4C