



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.08.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

and

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

H.C.P(MD)No.611 of 2019

C.Boomadevi

...Petitioner/Mother of the Detenue

Vs.

1.The Superintendent of Police,
Madurai District.

2.The Inspector of Police,
Silaiman Police Station,
Madurai District.

3.Karthick

... 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 1 and 2 to produce the body or person of the detenue namely Jothika D/o. Chandran, aged 17 years minor girl, daughter of the Petitioner before this Hon'ble Court and handover the detenue at the hands of the petitioner.

For Petitioner

: Mr.P.Murugadasan

For Respondents 1 and 2

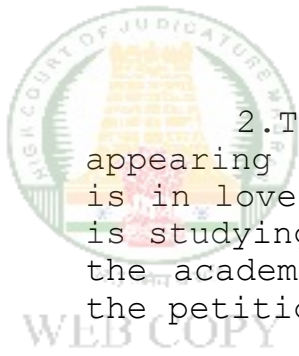
: Mr.S.Chandrasekar

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 detenue viz., Jothika, aged about 17 years [D.O.B. 26.07.2001] and alleging her illegal custody at the hands of the third respondent has lodged a complaint on the file of the second respondent police, based on which, a criminal case has been registered in Crime No.225 of 2019 for the commission of offences under Sections 366-A and 506(i) I.P.C. The petitioner apprehending about the safety, wellbeing and whereabouts of her daughter came forward to file this Habeas Corpus Petition and it was entertained on 10.07.2019. A mention was made by the learned Additional Public Prosecutor on the ground that the detenue has been produced and accordingly, this Habeas Corpus Petition is taken up today.



2.This Court heard the submissions of the learned counsel appearing for the petitioner also. The detenue would state that she is in love with the third respondent and went away with him and she is studying 2nd year in B.A. Tamil Literature and she wants to pursue the academic career and expressed her willingness to go along with the petitioner/mother, who is present before this Court.

3.In the light of above, custody of the detenue is handed over to her mother, who is present before this Court. The second respondent shall proceed further with the investigation of the case in Crime No.225 of 2019 registered by them and do quality investigation and file the final report as expeditiously as possible.

4.The Habeas Corpus Petition is disposed of accordingly.

Sd/-

Assistant Registrar (CS-II)

/TRUE COPY/

Sub Assistant Registrar.

To

1.The Superintendent of Police, Madurai District.

2.The Inspector of Police, Silaiman Police Station, Madurai District.

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

+1 CC to M/s.P.MURUGHADASAN, Advocate (SR-79580[F] dated 02/08/2019)

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AM/13.08.2019/ 2P/ 5C