

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.08.2020

CORAM :

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN
AND
THE HONOURABLE MS.JUSTICE V.M.VELUMANI

H.C.P. No. 800 of 2020

Mrs. Manjula, F/A. 35 years,
W/o. Ganapathy,
Nadutheru, Ramanathapuram Village,
Kadambur Post, Gengavalli Taluk,
Salem District. ... Petitioner/Mother of Detenue

Vs.

- 1.The Superintendent of Police,
Salem District,
Salem District.
- 2.The Inspector of Police,
Attur Town Police Station,
Attur, Salem District. Respondents

PRAYER: This Petition is filed under Article 226 of the Constitution of India praying for issuance of Writ of Habeas Corpus, directing the 2nd respondents to produce the body of Minor namely Suveena daughter of Ganapathy aged about 17 years, before this Court and hand over to the custody of the petitioner.

For Petitioner : Mr. T. Velu

For Respondents: Mrs. M. Prabhavathi,
(Additional Public Prosecutor)

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O R D E R
(Order of the court was made by N.KIRUBAKARAN,J.)

The matter is heard through "Video Conferencing".

2. The petitioner has filed this petition stating that her daughter Suveena, who is a minor aged about 17 years is missing from 10.03.2020 and therefore, she gave a complaint on

16.03.2020, which was registered as FIR in Crime No. 101 of 2020 on 23.03.2020. Since it has not been properly followed by the Police, again on 01.05.2020, a complaint was given to the 1st respondent and thereafter come before this Court.

3. When the matter is taken up today, the Police secured the detainee viz., Suveena from the custody of one Bharathi from Tiruppur and produced her before this Court through Video Conference. The petitioner/mother is also present before this Court. The petitioner would submit that her husband got separated from her and married another lady. Since there is no enough income, she has gone for work to Kerala, leaving her daughter Suveena and her son in the custody of her mother, i.e., grandmother of the detainee. However, without informing the grandmother, detainee left the house and stayed in Tiruppur along with her friend, as she feared that she would get married to a person against her wishes.

4. When this Court enquired the detainee whether she is going to study or not, the detainee would submit that she is going to study and she is willing to stay with the petitioner. Since the petitioner is suffering in the absence of income of the detainee's father, it is the bounden duty of the detainee, to share the family responsibilities and behave properly. As the detainee expressed her intention to go along with her mother, recording the same, the present petition is closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

gsa
To

1.The Superintendent of Police,
Salem District.

2.The Inspector of Police,
Attur Town Police Station,
Attur, Salem District.

3.The Public Prosecutor,
Madras High Court, Chennai.

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srg 08/10/2020