

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.09.2020

CORAM :

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

H.C.P. No. 1155 of 2020

Mr.V. Palanisamy, Male aged 49 years,
S/o. Vaiyapuri,
No.447, Sevakgoundanur,
Soolaimedu,
Bavani - Taluk,
Erode 638 455.

... Petitioner/ Father of the Detenue

Vs.

- 1.The Inspector of Police,
Kavandapadi Police Station,
Erode District.
- 2.S. Thangaraj, aged about 35 years,
S/o. Sengotaiyan,
Sevakgoundanur, Soolaimedu,
Bavani Taluk, Erode District.
- 3.The Superintendent of Police
Erode District.
(R3 impleaded vide order of this
Court dated 10.07.2020)

- 4.The Chairman
Child Welfare Committee
R.N.Pudhur, Bhavani
Erode District.

..Respondents

(4th respondent impleaded vide order
of this Court dated 01.09.2020)

PRAYER: This Petition is filed under Article 226 of the Constitution of India for issuance of Writ of Habeas Corpus directing the 1st respondent herein to produce the detenue namely minor P.Poongodi D/o. V. Palanisamy, aged about 15 years or her body before this Court and handover her to the petitioner.

Page numbers

For Petitioner :Mr.V.Balamurugane

For R1, R3 :Mrs.M.Prabhavathi
and R4 (Additional Public Prosecutor)

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 minor daughter P.Poongodi, aged about 15 years, is missing from 16.06.2020. In this regard, he has given a complaint on the very same day, which has been registered in Crime No.356 of 2020 as 'Girl missing case'.

3.When the matter is called today, Mrs.M.Prabhavathi, learned Additional Public Prosecutor appearing on behalf of the respondents 1 and 3 would submit that the 2nd respondent Thangaraj, aged about 33 years with whom the petitioner's daughter eloped, has been arrested and remanded. The detainee has been produced before the Child Welfare Committee as she is 15 years old and she has been lodged in Children Home, Child Welfare Committee.

4.Through Video-Conference, Mrs.Indrani Sophia, Inspector of Police, All Women Police Station, Gobichettipalayam, has produced the minor detainee. The minor would submit that she got married to the 2nd respondent viz., Thangaraj. However, she would submit that without informing her parents, what she has done is not correct. Though it is stated that she was initially not willing to go with her mother, today she expressed her willingness before this Court through Video-Conference that she is ready to go with her mother, who is also present.

5.Since the detainee has been lodged in Children Home, Child Welfare Committee, this Court suo motu impleads "The Child Welfare Committee represented by its Chairman, R.N.Pudur, Bhavani, Erode District", as 4th respondent. Mrs.M.Prabhavathi, learned Additional Public Prosecutor takes notice on behalf of the newly impleaded 4th respondent. Mr.Gnanasekaran, Child Protection Officer and Mr.Jayasurya, Child Help Line Team Member are also present before this Court through Video-Conference. There shall be a direction to the 4th respondent Child Welfare Committee to permit the petitioner's wife to take the minor girl viz., P.Poongodi, D/o.Palanisamy, aged about 15 years, so that

Page numbers

she can live with her parents, after completing necessary formalities. Accordingly, this H.C.P. is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

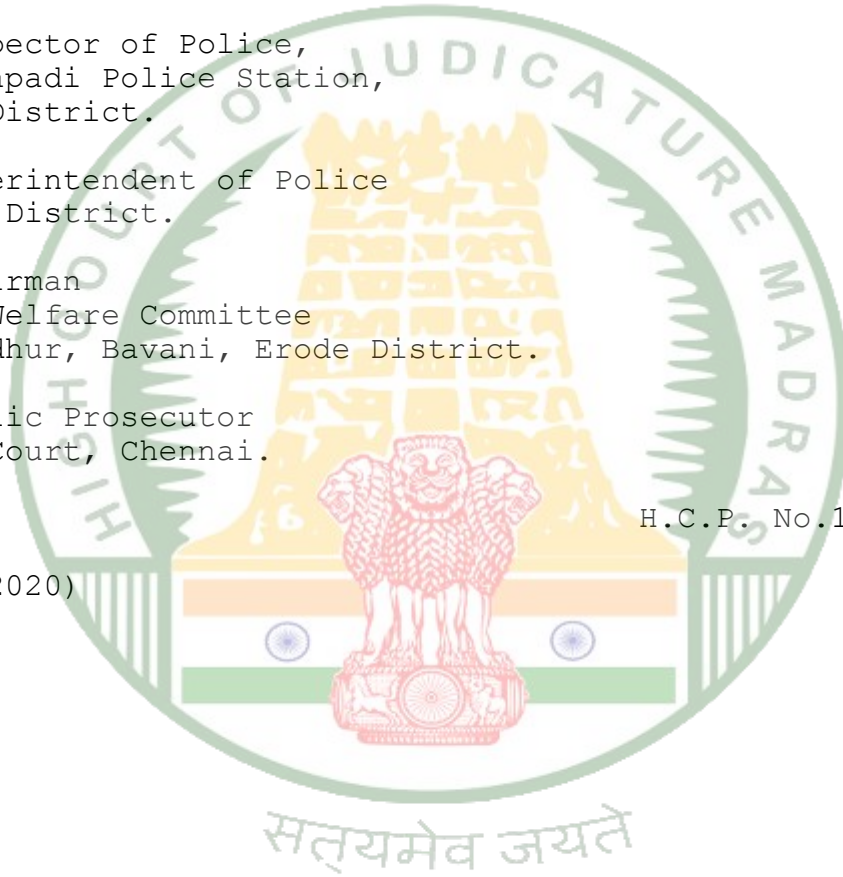
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To

- 1.The Inspector of Police,
Kavandapadi Police Station,
Erode District.
- 2.The Superintendent of Police
Erode District.
- 3.The Chairman
Child Welfare Committee
R.N.Pudhur, Bavani, Erode District.
- 4.The Public Prosecutor
High Court, Chennai.

H.C.P. No.1155 of 2020

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Page numbers