

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.10.2020

Coram

The Hon'ble Mr. Justice M.M.SUNDRESH
and
The Hon'ble Mr. Justice D.KRISHNAKUMAR

H.C.P. No.1918 of 2020

G.Kavitha

...Petitioner

-vs-

1.The Commissioner of Police,
Office of the Commissioner,
EVK Sampath Road, Vepery,
Chennai-600 007.

2.The Inspector of Police,
T-4, Maduravoyal Police Station,
Chennai-600 095.

3.Mottukkal Children Home
Good Shepherd Convent,
No.32, College Road,
Chennai-600 006.

...Respondents

Habeas Corpus Petition filed under Article 226 of the Constitution of India to issue a writ of habeas corpus directing the respondents 1 and 2 to produce the body of the minor detainee Durga Sree D/o Gangadharan aged about 16 years presently in the custody of 3rd respondent before this Court and grant custody to the petitioner.

For Petitioner : Ms.Shaikh Mehrunisa

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

ORDER

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

Seeking a direction to respondents 1 and 2 to produce the body of the minor detainee Durga Sree, aged about 16 years, presently in the custody of the third respondent before this

Court and grant custody to the petitioner, the present habeas corpus petition has been filed.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for respondents 1 and 2.

3. Learned Additional Public prosecutor submitted that the detainee is housed in the third respondent Home pursuant to the order of the Child Welfare Committee, Chennai.

4. In such view of the matter, we do not find any reason to entertain this petition as it is not maintainable. However, liberty is given to the petitioner to work out her remedy including approaching the Child Welfare Committee, Chennai.

5. With the above observation, the habeas corpus petition stands closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Commissioner of Police,
Office of the Commissioner,
EVK Sampath Road, Vepery,
Chennai-600 007.

2. The Inspector of Police,
T-4, Maduravoyal Police Station,
Chennai-600 095.

3. Mottukkal Children Home
Good Shepherd Convent,
No.32, College Road,
Chennai-600 006.

4. The Public Prosecutor,
High Court, Madras.

H.C.P. No.1918 of 2020

NRL (CO)
RV (27/11/2020)