

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.02.2021

Coram

The Honourable Mr. Justice P.N.PRAKASH
and
The Honourable Mr. Justice V.SIVAGNANAM

H.C.P. No.102 of 2021

N.Pandima Devi

.. Petitioner

Vs.

1.The Superintendent of Police,
Thiruvallur, Thiruvallur District.

2.The Inspector of Police,
T10 Thirumullaivoyal Police Station,
Thirumullaivoyal,
Thiruvallur District.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a writ of Habeas Corpus directing the second respondent to produce the body of the petitioner's daughter namely N.Sneka, aged about 16 years before this Court and hand over to the petitioner forthwith.

For Petitioner : Ms.S.Vennila

For Respondents: Mr.R.Prathap Kumar
Additional Public Prosecutor

ORDER

[Order of the Court was made by V.SIVAGNANAM, J.]

This habeas corpus petition has been filed seeking to direct the second respondent to produce the body of the petitioner's daughter namely N.Sneka, aged about 16 years before this Court and hand over to the petitioner forthwith.

2. On 29.01.2021, this Court passed the following order:

"Today, Mr.Sam Vincent, Inspector of Police, T-10, Thirumullaivoyal Police Station, Thiruvallur District, is present.

2. On instructions, the learned Additional Public Prosecutor submitted that on a complaint given

by the petitioner, a case in Crime No.833 of 2020 has been registered on 26.12.2020 for 'girl missing' and the investigation is in progress. In the meanwhile, if the detainee is secured, she may be produced before the Judicial Magistrate, Ambattur, under intimation to the petitioner. The learned Judicial Magistrate, Ambattur, shall pass appropriate orders with regard to the custody of the detainee.

Post the matter on 22.02.2021."

3. Today, Mr.B.Sankar, Sub-Inspector of Police, T-10 Thirumullaivoyal Police Station, Thiruvallur District, is present. The petitioner and his daughter N.Sneha (detenue), aged about 16 years, are also present before this Court.

4. On instructions, the learned Additional Public Prosecutor submitted that the police secured the detainee on 29.01.2021 and produced her before the Judicial Magistrate, Ambattur, on 30.01.2021. He further submitted that on the orders of the Judicial Magistrate, Ambattur, the detainee was produced before the Child Welfare Committee (CWC), Thiruvallur, who examined the detainee and lodged her in Government Home, Thiruvallur, on 30.01.2021. After further enquiry, the CWC, Thiruvallur, handed over the custody of the detainee to the petitioner on 10.02.2021.

5. When this Court enquired Sneha (detenue), she told us that she would like to go with her mother, the petitioner herein.

Recording the same, this habeas corpus petition is closed.

Sd/-

Assistant Registrar

//True Copy//

सत्यमेव जयते

Sub Assistant Registrar

nsd

To

1.The Judicial Magistrate, Ambattur.

2.The Superintendent of Police,
Thiruvallur, Thiruvallur District.

3.The Inspector of Police,
T10 Thirumullaivoyal Police Station,
Thirumullaivoyal,
Thiruvallur District.

4.The Secretary,
Child Welfare Committee,
Thiruvallur.

5.The Public Prosecutor,
High Court, Madras.

H.C.P. No.102 of 2021

PM(CO)
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