

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 16.04.2021
CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH
and
THE HONOURABLE MR.JUSTICE R.PONGIAPPAN

H.C.P.No.268 of 2021

R.Sasikala,
W/o.Ramesh

...Petitioner /
Aunt of the detenuue

versus

1.The Commissioner of Police,
No.132, Commissioner Office Building,
EVK Sampath Road,
Vepery, Periyamet,
Chennai - 600 007.

2.The Inspector of Police,
K-3, Aminjikarai Police Station,
Chennai - 600 029.

....Respondents

Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Habeas Corpus, to direct the respondents to produce the body of petitioner sister's minor daughter Saranya Devi @ Saranya, aged 15 years, D/o.Siva before this Court and hand over her custody to the petitioner.

For Petitioner : Mr.A.Muthukumar

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

O R D E R

[Order of the Court was made by P.N.PRAKASH, J.]

This petition has been filed seeking a direction to the respondents to produce the minor daughter of the petitioner's sister viz. Saranya Devi @ Saranya before this Court and hand over her custody to the petitioner.

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

3. When the matter was taken up for hearing, learned Additional Public Prosecutor on instructions, submitted that, the detainee viz. Saranya Devi @ Saranya was secured by the respondent police, and initially a case in Aminjikai Police Station Crime No.1342 of 2020 was registered on 25.03.2021 for 'girl missing' and later, it was altered into one under Section 366 IPC and Section 6 of the POCSO Act against one Selvakumar and that the said Selvakumar was arrested and remanded in judicial custody. He also submitted that the detainee viz. Saranya Devi @ Saranya was produced before the Child Welfare Committee on 25.03.2021 and on the orders of the Child Welfare Committee, she is now in Government Children's Home for Girls, Kellys.

4. Recording the same, this Habeas Corpus Petition stands closed, with liberty to the petitioner to approach the Child Welfare Committee, for the custody of the detainee.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

1.The Commissioner of Police,
No.132, Commissioner Office Building,
EVK Sampath Road,
Vepery, Periyamet,
Chennai - 600 007.

2.The Inspector of Police,
K-3, Aminjikai Police Station,
Chennai - 600 029.

3.The Child Welfare Committee,
Government Children Home for Girls,
No.300, Purasawalkam High Road,
Kellys, Chennai - 600 010 .

4.The Public Prosecutor,
High Court, Madras.

H.C.P.No.268 of 2021

LN(CO)
baf 10/05/2021