

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.04.2021

Coram

The Honourable Mr. Justice P.N.PRAKASH  
and  
The Honourable Mr. Justice R.PONGIAPPAN

H.C.P.No.628 of 2021

M.Rekha

...Petitioner

Vs.

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

2.State represented by  
The Inspector of Police,  
W-32, Madipakkam All Women Police Station,  
St.Thomas Mount, Chennai.

3.The Child Welfare Committee,  
Chengalpattu - 603 002,  
Kancheepuram District.

4.Uma Shankar

5.The New Hope & New Life,  
Represented by C.Wilson,  
Gangai Amman Koil Street,  
3<sup>rd</sup> Ward, No.3,317,  
Nakkampillaiyam Road,  
Perumpakkam, Chennai - 600 100.

...Respondents

Prayer:

Habeas Corpus Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus to direct the 2<sup>nd</sup> respondent to produce the petitioner's minor daughter Sai Harini, aged about 16 years, before this Court, from the custody of the 4<sup>th</sup> and 5<sup>th</sup> respondents and hand over to the petitioner.

|                 |   |                                                    |
|-----------------|---|----------------------------------------------------|
| For Petitioner  | : | Mr.Revathi G Mohan                                 |
| For Respondents | : | Mr.R.Prathap Kumar<br>Additional Public Prosecutor |

ORDER

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

This habeas corpus petition has been filed seeking to direct the 2<sup>nd</sup> respondent to produce the petitioner's minor daughter Sai Harini, aged about 16 years, before this Court, from the custody of the 4<sup>th</sup> and 5<sup>th</sup> respondents and hand over to the petitioner.

2. The fact remains that the alleged detainee Sai Harini, aged about 16 years, is lodged in the New Hope & New Life Trust, fifth respondent herein, on the orders of the Child Welfare Committee and therefore, it cannot be stated that she is in the illegal detention of anyone for the issuance of writ of habeas corpus.

In the result, this habeas corpus petition is closed with liberty to the petitioner to work out her remedy in the manner to law.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

nsd

To

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

2.The Inspector of Police,  
W-32, Madipakkam All Women Police Station,  
St.Thomas Mount, Chennai.

3.The Child Welfare Committee,  
Chengalpattu - 603 002,  
Kancheepuram District.

4.The Public Prosecutor,  
Madras High Court,  
Chennai - 600 104.

H.C.P.No.628 of 2021

JP-II (CO)  
RN (04/05/2021)