



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.06.2022

Coram

The Honourable Mr. Justice M.S. RAMESH
and
The Honourable Mr. Justice MOHAMMED SHAFFIQ

H.C.P.No.814 of 2022

Mariammal

.. Petitioner

Vs.

- 1.The Superintendent of Police,
Kallakurichi District,
Kallakurichi.
- 2.The Inspector of Police,
Thiyaga Durugam Police Station,
Kallakurichi District.
- 3.Subash

.. Respondents

Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus, directing the second respondent to produce petitioner's daughter, namely, Seethalakshmi, aged about 16 years before this Court from the illegal custody of the third respondent and hand over to the petitioner.

For Petitioner : Mr.R.Jayaprakash

For Respondent : Mr.A.Dhamodaran,
Nos.1 & 2 Addl. Public Prosecutor

O R D E R

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

The petitioner's daughter, who is aged about 16 years, went missing from her house from 30.04.2022 onwards, which prompted her to file a complaint before the second respondent police on 05.05.2022. Since there was no progress on the complaint, the present Habeas Corpus Petition has been filed.



2. On 18.05.2022, a co-ordinate Bench of this Court had directed the respondent police to secure the detainee and produce her before this Court. Accordingly, the girl came to be secured and was referred to a Children's Home through a Child Welfare Committee, where she continues to reside. In this background, the girl was produced before us today.

3. We had conducted an in-camera proceedings whereby the petitioner, as well as her daughter, in the presence of the Inspector of Police, were examined. According to the petitioner, she did not want to precipitate the issue any further and stated that she would be satisfied if her daughter is reconciled with her, so as to enable her to continue her studies. The detainee also stated that she wants to live with her mother for the purpose of continuing her studies. Since the petitioner herein did not want to precipitate the matter and both the detainee, as well as the petitioner herein intended to live together, we refrain ourselves from taking any further action against the third respondent herein.

4. In this background, the second respondent police are directed to discharge the petitioner's daughter from the Home for Children and restore her custody with the petitioner herein forthwith.

5. With this direction, the Habeas Corpus Petition stands closed.

Sd/-
Assistant Registrar (Vacation officer)

//True Copy//

Sub Assistant Registrar

DP
To

1. The Superintendent of Police,
Kallakurichi District,
Kallakurichi.
2. The Inspector of Police,
Thiyaga Durugam Police Station,
Kallakurichi District.
3. The Public Prosecutor,
High Court, Madras.



+1 cc to Mr.R.Jayaprakash Advocate Sr.NO.32028

WEB COPY

H.C.P.No.814 of 2022

ca (co)
aa06/06/2022