



HCP(MD)No.264 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 01.03.2023

CORAM

**THE HON'BLE DR JUSTICE G.JAYACHANDRAN
AND
THE HON'BLE MR JUSTICE K.K. RAMAKRISHNAN**

H.C.P.(MD)No.264 of 2023

U.Sinthal

.. Petitioner / Mother of
the Detenu

Vs.

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

2.The Inspector of Police,
Allinagaram Police Station,
Theni District,
Crime No.2 of 2023

3.The Warden,
Manithaneyam Orphanage Home,
Kondankipatti,
Theni District.

.. Respondents

Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus, directing the first and second respondents herein to produce the body or person of the petitioner's daughter /detenu namely Vinitha, D/o.Uthrakumar, aged 17 years and hand over her custody to the petitioner.



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For Petitioner :Mr.R.Maheswaran

For Respondents :Mr.R.Meenakshi Sundaram
Additional Public Prosecutor

ORDER

DR G.JAYACHANDRAN,J.
and
K.K. RAMAKRISHNAN,J.

The mother of the petitioner has filed this Habeas Corpus Petition alleging that her daughter had gone missing from 30.12.2022.

2.On 27.02.2023, the girl was produced before this Court and she expressed her option to be with the mother till she attains majority. Today, the girl is present before this Court. Even though she admits the marriage with Devaraj, this Court to ascertain the future of the mother/ petitioner directed her to be present today and she is also present. This Court interacted with the mother and daughter. The petitioner is unhappy with the daughter's decision to marry Devaraj and she stated that her daughter, who is 17 years old being kidnapped by Devaraj from her custody.



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3.This Court able to understand that it is a matter of love affair and it is the personal discretion of the individual to take right decision subject to attaining the age of majority. Now the petitioner is ready to take care of her minor daughter, who wants to be with her till she attains majority and thereafter, to take a decision on her own.

4.In the said circumstances, this Habeas Corpus Petition is closed, regarding the fact that the minor girl has been secured and handed over to the custody of the mother as wished by the minor girl.

(G.J.,J.) (K.K.R.K.,J.)
01.03.2023

NCC:Yes/No
Index:Yes/No
Internet:Yes/No



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To

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- 2.The Inspector of Police,
Allinagaram Police Station,
Theni District,
Crime No.2 of 2023
- 3.The Warden,
Manithaneyam Orphanage Home,
Kondankipatti,
Theni District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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