



HCP.No.39 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.10.2024

CORAM :

**THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE MR. JUSTICE V.SIVAGNANAM**

H.C.P.No.39 of 2024

Premalatha

... Petitioner/
Maternal Aunt of detenu

Vs

State rep. by:-

1. Superintendent of Police,
Namakkal,
Namakkal District.
2. Inspector of Police,
All Women Police Station,
Namakkal District.
3. The Child Welfare Committee
Namakkal District.

.... Respondents

PRAYER: Petition filed under Article 226 of Constitution of India to issue a Writ of Habeas Corpus, directing the 2nd respondent to produce the person and body



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of Minor Nivethitha, petitioner sister child, before this Hon'ble Court from the custody of the 3rd respondent and hand over her to the petitioner.

For Petitioner : Mr. A.V.Arun

For Respondents : Mr.E.Raj Thilak
Additional Public Prosecutor

ORDER

(Order of the Court is made by *S.M.SUBRAMANIAM, J.*)

The Habeas Corpus Petition has been instituted to produce the detenu minor Nivethitha, now aged about 17 years and one month and pursuing 12th standard.

2. Admittedly, the detenu is now studying at Sri Sampoorna Vidhyalaya, Residential School at Puducherry. The petitioner, who is the Aunt of the detenu is taking care of her and the said position is not disputed between the parties.

3. Since there is no illegal detention established, no further adjudication needs to be undertaken. The petitioner shall take care of the minor child and allow



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her to pursue her higher education by providing all necessary assistance.

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4. With these observations, the Habeas Corpus Petition is closed.

Consequently, connected miscellaneous petition is closed.

[S.M.S., J.] [V.S.G., J.]
25.10.2024

Index : Yes/No
Speaking Order : Yes/No
Neutral Citation : Yes/No
mrp

To

1. Superintendent of Police,
Namakkal,
Namakkal District.
2. Inspector of Police,
All Women Police Station,
Namakkal District.
3. The Child Welfare Committee
Namakkal District.
4. The Public Prosecutor,
High Court, Madras.



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S.M.SUBRAMANIAM, J.
AND
V.SIVAGNANAM, J.

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