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H.C.P.No.2986 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.12.2024

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN

H.C.P.No.2986 of 2024

B.Jayanthi

... Petitioner

Vs.

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

2.The Inspector of Police,
Vyasarpadi Police Station,
Puliyanthope, Chennai – 600 039.

... Respondents

Prayer: Habeas Corpus Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Habeas Corpus, directing the respondents to produce the petitioner's daughter by name B.Prithiga, aged about 17 years, before this Court and grant the custody of minor girl to the petitioner.



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For Petitioner : Mrs.D.Shoban Rani
For Respondents : Mr.R.Muniyapparaj
Additional Public Prosecutor

ORDER

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

The Habeas Corpus Petition has been instituted to direct the respondents to produce the petitioner's daughter, namely, B.Prithiga, aged about 17 years.

2.The learned Additional Public Prosecutor would submit that the minor detainee was taken away by one person, namely, Mr.Ilavarasan, who is also a minor, however, a criminal case was registered against him.

3.The detainee has been secured by the Police and she appeared before this Court. The petitioner is also present. The petitioner made a submission that she will take care of her daughter and allow her to pursue her education in the College. The detainee is pursuing B.A. English Literature in a College at Vyasarpadi.

4.Since the detainee is a minor, the Police authorities have allowed the



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detenue to reside in the Government Home. Now since the petitioner's mother has consented to accompany the daughter, no further adjudication is required and the Home Authorities shall permit the detenue to go along with her mother.

5.Taking note of the facts and circumstances, we are of the considered opinion that the detenue is presently not under illegal detention. Accordingly, the Habeas Corpus Petition stands disposed of.

[S.M.S., J.] [M.J.R., J.]
03.12.2024

Index : Yes/No
Neutral Citation : Yes/No
Speaking order / Non-speaking order

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S.M.SUBRAMANIAM, J.
and
M.JOTHIRAMAN, J.

cse

To

- 1.The Commissioner of Police,
Greater Chennai Police, No.132
Commissioner Office Building,
EVK Sampath Road,
Vepery, Chennai – 600 007.
- 2.The Inspector of Police,
Vyasarpadi Police Station,
Puliyanthope,
Chennai – 600 039.
- 3.The Additional Public Prosecutor,
Madras High Court.

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