



H.C.P.(MD) No.1016 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.08.2024

CORAM:

**THE HONOURABLE MR.JUSTICE C.V. KARTHIKEYAN
and
THE HONOURABLE MR.JUSTICE J.SATHYA NARAYANA PRASAD**

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Sulochana Kannan

... Petitioner

-VS-

1.The Deputy Superintendent of Police,
Thanjavur District.

2.The Inspector of Police,
Sethubavachathiram Police Station,
Thanjavur District.

3.Raghunathan

4.Mariammal

5.Manikandan

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus directing the respondents 1 and 2 to produce the body or person of the petitioner's daughter detenu namely Oviya Rani, D/o.Sulochana



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Kannan, aged about 16 years (D.O.B.29.11.2007) to handover the custody to the petitioner before this Court.

For Petitioner : Mr.S.A.Ajin Singh

For Respondents : Mr.T.Senthil Kumar
Additional Public Prosecutor

ORDER

The matter has been listed on the request of Mr.T.Senthil Kumar, learned Additional Public Prosecutor since the daughter of the petitioner, who had disappeared on 29.07.2024 had been secured. The young child had been born on 29.11.2007. She has still not attained the age of majority.

2. The respondents 3 and 4 are present in the Court. The petitioner is also present in the Court. The young child has now got admission in Paavai Engineering College, Namakkal, in B.Tech Food Technology – First Year.

3. She stated that for the present she would prefer staying in a Home. Accordingly, we record our appreciation for the efforts taken by Mr.T.Senthil Kumar, learned Additional Public Prosecutor, to ensure that arrangements are



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made in Government Children Sathya Illam, Membalam in Thanjavur, where the child can stay till the college opens which is in September, 2024. After the college opens, we impressed upon her the necessity to educate herself and to study in that B.Tech Food Technology Course in which she has already secured admission.

4. While studying in the college, she may either stay in the hostel or if that is expensive, we are confident that the learned Additional Public Prosecutor would give necessary directions to the respondents 1 and 2 or to any other officials to ensure that a Home is identified for her to stay in Namakkal.

5. We also had a discussion with the petitioner herein and she was afraid about the whereabouts of the child, but now she has seen the child. She had stated that she would support the child in any manner whatsoever.

6. The third respondent/Raghunathan was also inquired by us and he asserted that he would not cause any danger to the young child. He also ensured that the child could continue with her studies and he would not interfere with her studies.



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7. We would place a request to the Chairperson of Child Welfare Committee in Thanjavur District, to reach out to the young child who would be staying at the Government Children Sathya Illam, Membalam, Thanjavur and give necessary counselling to her particularly, the importance of her education and to study in the college where she had got admission in B.Tech Food Technology and exercise restraint till at least she attains the age of 18 years.

8. Since the child had been secured, no further orders are required in the Habeas Corpus Petition and accordingly, this petition stands closed.

[C.V.K., J.] [J.S.N.P., J.]

29.08.2024

NCC : Yes / No
Internet : Yes / No
PKN



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To:

- 1.The Deputy Superintendent of Police,
Thanjavur District.
- 2.The Inspector of Police,
Sethubavachathiram Police Station,
Thanjavur District.
- 3.The Chairperson,
Child Welfare Committee, Thanjavur District.
- 4.The Government Children Sathya Illam,
Membalam, Thanjavur District.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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AND
J.SATHYA NARAYANA PRASAD, J.

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