

N. Surendran Vs. State represented by the Superintendent of Police, Ariyalur and Others

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Court : Chennai

Decided On : Mar-15-2016

Judge : M. Jaichandren & S. Nagamuthu

Appeal No. : H.C.P. No. 1922 of 2015

Appellant : N. Surendran

Respondent : State represented by the Superintendent of Police, Ariyalur and Others

Judgement :

(Prayer: Habeas Corpus Petition has been filed under Article 226 of the Constitution of India for a Writ of Habeas Corpus, directing the 5th respondent to produce the body of the petitioner's minor daughter, namely, Nandhini Devi, before this Court, and to set her at liberty.)

M. Jaichandren, J.

1. This Habeas Corpus Petition has been filed before this Court, by the father of the detainee, praying that this Court may be pleased to issue a Writ of Habeas Corpus, to direct the 5th respondent to produce the minor daughter of the petitioner, namely, Nandhini Devi, before this Court, and to set her at liberty.

2. The petitioner has stated that the detinue is the elder daughter of the petitioner. She was studying in Xth standard, in the Government School at Vilangudi Government School. On 10.12.2014, she did not return home after the school hours. Therefore, the wife of the petitioner had lodged a complaint before the 3rd respondent, on 11.10.2014, suspecting that the minor girl had been kidnapped. The said complaint had been registered, in Crime No.118 of 2014, for the offence under Section 366(A) I.P.C.

3. Today, when the matter was listed for hearing, the detinue has been produced before this Court, by the 5th respondent/Inspector of Police, Jayankondan. On enquiry, the detinue, who is in the family way, had expressed her willingness to go along with one Selvi, W/o.Sampath, residing at Keela Street, Iyyan Athur, Ariyalur District, who is said to be her mother-in-law, and a close relation of the detinue.

4. Taking into consideration, the physical condition of the detinue, namely, Nandhini Devi, who is in an advanced stage of pregnancy, and as it is noted from the School Certificate produced before this Court, that the detinue would be attaining majority, on 26.03.2016, she is permitted to go along with Selvi, who is said to be her mother-in-law.

5. In such view of the matter, we do not find any reason to pass any further orders in the present Habeas Corpus Petition. Hence, the Habeas Corpus Petition stands closed.

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