

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 31.03.2006

Coram:-

The Hon'ble Mr. Justice P.SATHASIVAM  
and  
The Hon'ble Mr. Justice J.A.K.SAMPATHKUMAR

Habeas Corpus Petition No.313 of 2006

V.Suseela

... Petitioner

vs.

1. The Indian Christian  
Mission Centre,  
rep. by Father Jayaraj  
Krishnan,  
Vasanthapuram, Behind Housing Unit,  
Salem - 7.

2. The Sub Inspector of Police,  
Hasthampatty Police Station,  
Salem.

... Respondents

Petition under Article 226 of the Constitution of India for the issuance of a Writ of Habeas Corpus to direct the respondents to produce the body of the petitioner's minor daughter namely V.Selvasudha before this court and hand over her custody to the petitioner.

For petitioner : Miss.P.T.Asha,  
for Sarvabhauman Associates.

For Respondent-1: Mr.K.Selvaraj

For Respondent-2: Mr. Karuppiyah, for  
Mr.Abudukumar Rajarathinam,  
Govt. Advocate (Criminal Side)

O R D E R

(Order of the Court was made by P.SATHASIVAM, J.)

The above petition has been filed seeking for a direction to

the respondents to produce the petitioner's daughter by name V.Selvasudha before this Court and hand over her custody to the petitioner.

2. Pursuant to the direction of this Court, the second respondent produced detainee V.Selvasudha. We enquired her. According to her, she is aged about 16 years, she is a minor. She also informed us that for the past five years, she has been pursuing her studies by staying in the Hostel run by the first respondent. She also informed us that in respect of an incident, the first respondent summoned her mother for enquiry, hence, out of fear, she left the first respondent-Institution. She says that she is willing to continue her studies by staying in the said Hostel. It is also stated that her mother is not in a position to spend money for her education and that was the reason she was admitted in the first respondent-Institution.

3. Taking note of the wish of the girl to continue her studies, she is permitted to pursue her education by staying in the Hostel run by the first respondent. It is made clear that she is free to visit her mother's place, as and when required, with the permission of the first respondent.

Petition is closed with the above direction.

Sd/  
Asst.Registrar

/true copy/

Sub Asst.Registrar

JI.

To

1.The Sub Inspector of Police,  
Hasthampatty Police Station,Salem.

2.The Public Prosecutor,  
High Court, Madras -104.

+lcc to Mr.K.Selvaraj, Advocate Sr 15914  
+lcc to M/s. Sarvabhauman Associates Sr 15807

VS (CO)  
km/6.4.

HCP No.313 of 2006.