

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 30TH DAY OF APRIL, 2019

PRESENT

THE HON'BLE MR. JUSTICE B. VEERAPPA

AND

THE HON'BLE MR. JUSTICE R. DEVDAS

WPHC No.6 OF 2019

BETWEEN:

SRI DURGARAM
S/O. SRI KUMARAM
AGED ABOUT 50 YEARS
RESIDING AT NO.118
2ND CROSS ROAD
RAJAGOPALA NAGAR
LAGGERE
BENGALURU – 560058

... PETITIONER

(BY SRI H.MUNISWAMY GOWDA, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REPRESEANTED BY
THE SECRETARY TO GOVERNMENT
HOME DEPARTMENT
VIDHANA SOUDHA
AMBEDKAR VEEDHI
BENGALURU-560 001

2. THE COMMISSIONER
BENGALURU CITY

INFANTRY ROAD
BENGALURU – 560 001

3. INSPECTOR OF POLICE
RAJAGOPALA NAGARA POLICE STATION
BENGALURU – 560 058
... RESPONDENTS
(BY Dr. S.V. GIRIKUMAR, AGA)

THIS WPHC IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT IN THE NATURE HABEAS CORPUS, OR ANY OTHER APPROPRIATE WRIT, BY DIRECTING THE RESPONDENTS POLICE TO MAKE EFFORTS TO SEARCH THE PETITIONER'S MINOR MISSING GIRL, KUMARI SUMAN D. AND HAND HER TO THE PETITIONER AND ETC.

THIS WPHC COMING ON FOR ORDERS THIS DAY,
R.DEVDAS J, MADE THE FOLLOWING.

O R D E R

This habeas corpus petition has been filed by the petitioner seeking a direction to the respondent – police to make efforts to search the petitioner's minor missing girl child Kum. Suman D.

2. Dr.S.V.Girikumar, learned Additional Government Advocate representing the respondent – State and the police submits that subsequent to the

issuance of notice, the police have taken action and the missing girl Kum. Suman D is produced before this Court. The learned Additional Government Advocate further submits that the Police Inspector of Rajagopala Nagar Police Station Sri. Dinesh Patil and Woman Police Constable Smt.Jamuna of the same police station have produced the girl Kum. Suman D before this Court.

3. This Court has posed some questions to the detenu Kum. Suman D. She states that she was born on 11.01.2001, but the Aadhaar Card produced by the petitioner's father shows that she was born on 11.01.2002. She submits that she has married one Sri.Venugopala Y, S/o Sri.Yallappa who was residing at Narayanadasarahalli, Siddlaghatta Taluk. She has produced Certificate of Registration of Hindu Marriage issued in Form No.II-A of the Hindu Marriage Act, 1955

issued by the Marriage Officer and Sub-Registrar, Chinthamani which is dated 11.02.2019.

4. After going through the material placed on record and on hearing the detenu, this Court is of the opinion that the detenu is major by age. She volunteers to submit that she would like to go along with her father - petitioner who is present before this Court.

5. In that view of the matter, this petition is disposed of permitting the detenu to go along with her father - petitioner herein. It is ordered accordingly.

SD/-
JUDGE

SD/-
JUDGE

GH