

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30-07-2026

CORAM

WEB COPY

THE HON'BLE DR.JUSTICE ANITA SUMANTH

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

HCP No.1305 of 2026

A.Ramani
W/o.Ashokkumar,
No.3/127, Uzhavan Vattam, Amani,
Ayyam Perumampatti,
Salem - 635 302.
Currently Residing at
Plot No.44, Lakshmi Vilas Bank Nagar,
Perumal Pattu, Tiruvallur - 602 024.

...Petitioner/Mother of
the Detenue

Vs

1. The Commissioner of Police,
The Commissioner of Police Officer,
Salem District, Salem.
2. The State rep. by its,
Inspector of Police,
C-2, Hasthampatti Police Station,
Salem.
3. Shanthi
S/o.Sambathkumar,
No.167/1, Veeravanji Street,
Kalarmpatti Salem - 636 015.
4. Gomathi
W/o.Kumaresan,
No.658, Ayanthiru Maligai, Gorimedu,
Salem - 636 008.

...Respondents



Prayer : Petition filed under Article 226 of Constitution of India praying for issuance of Writ of Habeas Corpus, directing the 1st and 2nd respondents to produce the petitioner's son namely Pradeepkumar, aged 23 years, S/o.Ashokkumar, before this Court from the illegal custody of 3rd and 4th respondent and set him at liberty.

For Petitioner : Mr.S.Senthilvel
for
Ms.L.Manisha

For Respondents : Mr.C.R.Malarvannan
Counsel for Government of Tamil Nadu
(Criminal Side)
for R1 and R2

ORDER

(Order of the Court was made by Sunder Mohan J.)

The mother of a 23 year old boy has filed this Habeas Corpus Petition alleging that the absentee is in illegal custody of her sister, the fourth respondent herein.

2. Today, the petitioner, the absentee and the fourth respondent are present before this Court. The absentee is a 23 year old boy.

3. Mr.C.R.Malarvannan, the learned Counsel for Government of Tamil Nadu (Crl.Side) for the respondents 1 and 2 submitted that the absentee is not in illegal confinement since the petitioner/mother of the absentee had voluntarily given him in adoption to the fourth respondent.



WEB COPY

4. When we expressed our displeasure in the manner in which, this Jurisdiction has been misused by the petitioner, the learned counsel for the petitioner sought permission to withdraw and made an endorsement to withdraw the same.

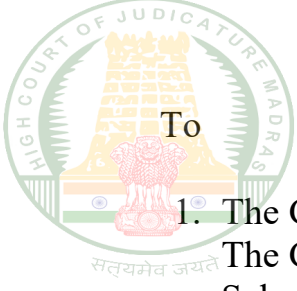
5. We find that in this case, the petitioner has sought to convert a family dispute into one of illegal detention to invoke the Jurisdiction of this Court. Since this Writ Jurisdiction has been misused, we are inclined to impose a nominal cost of Rs.2,000/- (Rupees Two Thousand Only) on the petitioner payable to the Tamil Nadu State Legal Services Authority, Chennai, within a period of two weeks from today.

6. In the result, this Habeas Corpus Petition is dismissed as withdrawn with cost as aforesaid.

7. Post the matter under the caption “For Reporting Compliance” on 13.08.2026.

(A.S.M.,J.) (S.M.,J.)
30-07-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
Note: Issue order copy today.
dk

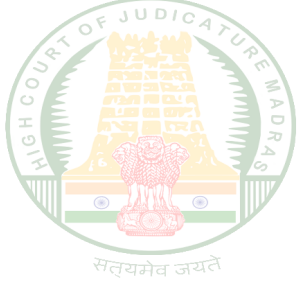


1. The Commissioner of Police,
The Commissioner of Police Officer,
Salem District, Salem.

2. The Inspector of Police,
C-2, Hasthampatti Police Station,
Salem.

3. The Public Prosecutor
High Court of Madras.

4. The Tamil Nadu State Legal Services Authority,
Gate No. 6, North Fort Road,
High Court Campus,
Chennai – 600 104



WEB COPY



**DR.ANITA SUMANTH, J.
AND
SUNDER MOHAN, J.**

dk

HCP No. 1305 of 2026

30-07-2026