

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31-07-2026

CORAM

THE HON'BLE DR.JUSTICE ANITA SUMANTH

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

HCP No. 1334 of 2026

Jayasudha
W/o.Pasupathi,
18/143C, Opposite Narasimha Mill,
Trichy Road,
Sulur,
Coimbatore - 641 402.

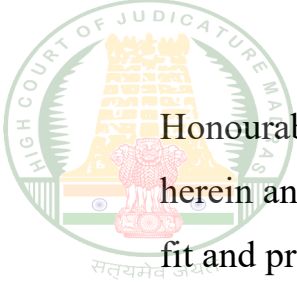
..Petitioner(s)

Vs

1. The State Rep by The Superintendent of Police
Coimbatore District,
Coimbatore.
2. The Inspector of Police
All Women Police Station,
Karumathampatty,
Coimbatore District.
3. Marvin Murugesan
S/o.Marappa Gounder,
12/650, 5th Street,
Thuthoormattam,
Coonoor,
Nilgiris - 643218.

..Respondent(s)

Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus or any other appropriate writ, order or direction directing the respondents herein to produce the body or person of the petitioners minor female child namely M.Ruchira, born on 28.10.2019, aged about 6 years, who is presently under the illegal custody of the 3rd respondent, before this



Honourable Court and hand over the custody of the minor child to the petitioner herein and pass such further or other orders as this Honourable Court may deem fit and proper in the circumstances of the case,.

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For Petitioner(s): Ms.Adhilakshmi Logamurthy

For Respondent(s): Mr. C.R. Malarvannan,
Counsel For Government Of Tamil Nadu
(Criminal Side)for R1 And R2
Mr. K. Suresh Babu
assisted by Mr.Navin Suresh and Mr.R.Karthik
For R3

Order

(Order of the Court was made by Dr.Anita Sumanth, J.)

This habeas corpus petition has been instituted seeking production of Minor. M.Ruchira (minor / detenue), whose date of birth is 28.10.2019. Petitioner and R3 were married in December, 2016 and they have been in the USA thereafter.

2. While so, the petitioner returned to India on 07.04.2025 after obtaining divorce by mutual consent from R3 and the order of divorce passed by the 417th District Court, Colling County, Texas, USA is produced before us. There are detailed stipulations therein in regard to the custody of the child and the parents have been directed to share custody of the minor in a structured manner.

3. Pursuant to the return of the petitioner with the minor to India on 07.04.2025, it is the petitioner who has been attending to the child. She has enrolled the detenue in Euro Kids, Coimbatore. Things were proceeding



smoothly till January, 2026, when the petitioner remarried.

4. We have interacted with petitioner, R3 and the minor. It is the say of R3 that he has instituted an Original Petition before this Court seeking to be appointed as guardian of the minor child. He may pursue that petition. In the interim, he wishes to have custody of the child as he is unsure as to whether minor child would be happy / secure in the company of the step-father.

5. He had hence taken the child away from the petitioner on 11.05.2026 and states that he has obtained admission for her in a School in Coonoor, where he stays with his aged mother. According to him, he has wound up his business and activities in the USA, and has returned to India for good.

6. As far as petitioner is concerned, she is a Dentist. Post marriage in January, 2026, she intends to shift to Thrissur, Kerala, where her husband resides, and has enrolled the minor in Seventh-day Adventist School in Thrissur. Our interactions with the minor are pleasant and prima facie reveal to us, that she stable, though evidently confused on account of the pulls and pressure from both the parents.

7. In the interests of the child, we direct R3 to return the minor child to her mother, the petitioner. Petitioner assures the Court that R3 may visit when he wishes to and that she will also take the minor to visit him, based on their mutual convenience. Hence, we do not intend to stipulate a structured visitation schedule but leave it to the parties to ensure that the child and the biological father have sufficient time with each other. This arrangement shall continue



until orders passed by the appropriate Court hearing the OP seeking appointment of guardian.

8. Recording the above, we close this habeas corpus petition. No costs.

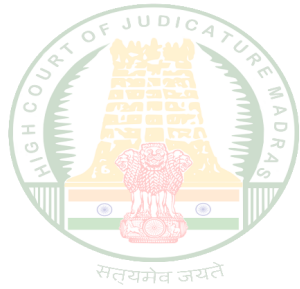
(A.S.M, J.) (S.M, J.)
31-07-2026

Index: Yes/No
Speaking order
Neutral Citation: Yes

ssm

To

1. The Superintendent of Police
Coimbatore District, Coimbatore.
2. The Inspector of Police
All Women Police Station,
Karumathampatty, Coimbatore District.
3. The Public Prosecutor, High Court, Madras.



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

ssm

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