

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 13.10.2015

CORAM

THE HONOURABLE MR.JUSTICE C.T.SELVAM
AND
THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

H.C.P. No.2366 of 2015

Dhanalakshmi

... Petitioner

-v-

1.State rep. by
The Superintendent of Police
Kancheepuram District,
Kancheepuram.

2.The Inspector of Police,
D-1, Shivakanchi Police Station,
Kancheepuram & District.

3.Mahesh

... Respondents

Habeas Corpus Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Habeas Corpus directing the respondents 1 and 2 to secure and produce the petitioner's minor daughters namely 1.Kiruthika, Female aged about 9 years and 2.Akshaya, Female, aged about 7 years, before this Court and set them at liberty forthwith.

For Petitioner : Mr.G.Anabayachozhan

For Respondents 1 & 2 : Mr.A.N.Thambi Durai
Addl. Public Prosecutor

For Respondent 3 : Mr.R.Karthikeyan

O R D E R

(Order of the Court was made by C.T.SELVAM, J.)

Heard the learned counsel appearing for the petitioner as well as the learned Additional Public Prosecutor appearing for the respondents 1 and 2 and the learned counsel for the third respondent.

2.This petition has been filed by the petitioner/mother of the detenus Kiruthika and Akshaya, directing the respondents to

cause production of her daughters before this Court and to set them at liberty.

3.The petitioner and the third respondent/husband of the petitioner and their minor children, i.e. Kiruthika aged about 9 years and Akshaya aged about 7 years, appeared before this Court. Learned counsel for the third respondent submits that the minor children are now in the custody of the third respondent, since the petitioner had left her matrimonial home.

4.On enquiry, the minor children inform that earlier, they have been in the custody of both their parents and then under their father's custody and are being looked after by their paternal grandmother. Both of them are cheerful and clear of mind while informing thus.

5.On the aforesaid circumstances, this Habeas Corpus Petition is closed as nothing further remains to be considered.

It is open to the petitioner to seek her remedy before the appropriate forum, according to law.

sd/
ASSISTANT REGISTRAR (CS-II)

/TRUE COPY/

SUB-ASSISTANT REGISTRAR

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To

- 1.The Superintendent of Police
Kancheepuram District,
Kancheepuram.
- 2.The Inspector of Police,
D-1, Shivakanchi Police Station,
Kancheepuram & District.
- 3.The Public Prosecutor,
High Court of Madras,
Chennai 600 104.

+1 CC to Mr.G.Anabayachozhan Advocate. SR.NO. 56183
+1 CC to Mr.R.Karthikeyan Advocate. SR.NO. 56398

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CO-RSI
JD 03/11/2015