

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.03.2015

CORAM:

THE HONOURABLE MS.JUSTICE M.JAICHANDREN
AND

THE HONOURABLE MRS.JUSTICE K.B.K.VASUKI

H.C.P.No.634 of 2015

K.Murugan

... Petitioner

Vs

1.The Superintendent of Police,
The office of Superintendent of Police,
Erode District.

2.The Inspector of Police,
Anthiyur Police Station,
Erode District,
Crime No.73/2015

3.Kesavan

... Respondents

Prayer:- This Habeas Corpus Petition is filed under Article 226 of the Constitution of India to call for the records in complaint dated 11.2.2015 on the file of the 2nd respondent and direct the respondents herein to produce the petitioner's son Vasantha Kumar and hand over him to the petitioner.

For Petitioner : Ms.S.P.Arthi

For Respondents : Mr.A.N.Thambidurai,
Additional Public Prosecutor for R1

ORDER

The petitioner herein is the father of the so-called detenu, by name, Vasantha Kumar, aged about 5 years, who is presently in the custody of his mother, who got separated from her husband/petitioner. The mother along with her child are living with her father. The detenu, Vasantha kumar, along with his mother, are produced before this Court by the second respondent, Inspector of Police.

2. When we personally enquired the mother of the detenu, she categorically stated that she wants to keep the custody of the child and to live with her father. She is unwilling to go back to her matrimonial house.

3. Under such circumstances, no further order is warranted. Hence, this Habeas Corpus Petition stands closed. It goes without saying that it is open to the petitioner to pursue his remedy, if any, before the appropriate forum, in the manner known to law.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

VSI

To

1. The Superintendent of Police,
The office of Superintendent of Police,
Erode District.
2. The Inspector of Police,
Anthiyur Police Station,
Erode District.
3. The Public Prosecutor,
High Court, Chennai.

+1cc to M/s.S.P.Arthi, Advocate, S.R.No.13155

H.C.P.No.634 of 2015

PA(CO)
CA(17/03/2015)

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