



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.09.2015

CORAM:

THE HONOURABLE MR.JUSTICE S.NAGAMUTHU

and

THE HONOURABLE MR.JUSTICE V.S.RAVI

H.C.P(MD)No.1300 of 2015

A.Kannan

.. Petitioner

Vs.

1. The Superintendent of Police,
Madurai District, Madurai.

2.The Inspector of Police,
All Women Police Station,
Samayanallur.

3.Sathiyaseela,
Sub-Inspector of Police,
All Women Police Station,
Samayanallur.

4.Malathi,
Head Constable,
All Women Police Station,
Samayanallur.

5.Kodi,
Head Constable,
All Women Police Station,
Samayanallur.

6.Sumathi,
Head Constable,
Koodalpudur Police Station,
Madurai, Madurai City.

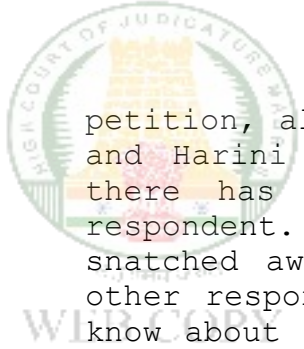
.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus, to direct the 2nd respondent to produce the person or body of the detenu, namely Karthik Raja, aged about 5 years, son of the petitioner and Harini, aged about 1 year, Daughter of the petitioner before this Court and hand over the custody of the detainees to the petitioner.

For Petitioner : Mr.M.Benazir
For RR 1&2 : Mr.K.S.Duraipandian
Additional Public Prosecutor.

O R D E R

[Order of the Court was made by S.NAGAMUTHU,J]



petition, alleging that his children by name, Karthick Raja, aged 5 years and Harini aged at 1 year, are missing. According to the petitioner, there has been no love lost between the petitioner and the sixth respondent. On 07.07.2015, according to the petitioner, the children were snatched away from him and handed over to the sixth respondent by the other respondents. When he went to the house of the sixth respondent to know about the welfare of the children, according to the learned counsel for the petitioner, the sixth respondent said that the children were not with her. Therefore, the petitioner has come up with this petition.

2. Today, when this petition was taken up, the sixth respondent has made appearance. She would submit that both the children are very safe in her custody. Since, she is working in the Police Department and since she has to travel on account of her duty, the children are now taken care of by her mother and the sixth respondent is also living with her mother. She would further submit that the first child is studying U.K.G and the second child is hardly 1½ years old.

3. Since, we are satisfied that the children are very safe in the hands of the sixth respondent and since the dispute is purely civil in nature, leaving it open to the petitioner to work out his remedy before the Civil Court, this Habeas Corpus Petition is dismissed.

Sd/-

Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Madurai District, Madurai.
2. The Inspector of Police,
All Women Police Station,
Samayanallur.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.R.Sundar, Advocate SR.No. 52045

ORDER MADE IN
H.C.P (MD) No.1300 of 2015

PJL/RR

NS/JGB-DP/SAR I/22.09.2015 : 2P/5C