



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.04.2015

CORAM:

THE HONOURABLE MR.JUSTICE A.SELVAM

and

THE HONOURABLE MR.JUSTICE V.S.RAVI

HCP (MD) No.272 of 2015

Joice Emili

.. Petitioner

Vs.

1.The Superintendent of Police,
Trichirapalli District.

2.The Inspector of Police,
Somarasampettai Police Station,
Trichirapalli.

3.S.T.Arockianathan

4.A.Elizabeth Victoria

.. Respondents

Habeas Corpus Petition is filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus directing the respondents 1 and 2 to produce the body or person of the petitioner's minor daughter namely Sharon Divina D/o.F.P.Shajkumar aged about 7 years before this Court and hand over custody to the petitioner.

For Petitioner	: Mr.B.Jameel Arasu
For RR - 1 & 2	: Mr.T.Mohan
	Addl. Public Prosecutor
For RR - 3 & 4	: M/s.J.Ananthavalli

ORDER

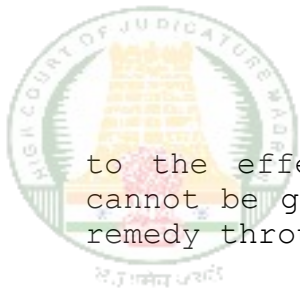
(Order of the Court was made by A.SELVAM, J)

This Habeas Corpus Petition has been filed under Article 226 of the Constitution of India praying to direct the respondents 1 and 2 to trace out and produce the detenu by name Sharon Divina, aged 7 years, daughter of the petitioner.

2. It is stated in the petition that the petitioner is the mother of the detenu and she has been forcibly taken by the respondents 3 and 4, who are none other than the parents of the petitioner. Under the said circumstances, the present petition has been filed.

3. The respondents 3 and 4 are present and they produced the detenu and she has been enquired into and she expressed her willingness to live with the respondents 3 and 4.

4. Considering the fact that the petitioner has got married with one Shajikumar and also considering that the respondents 3 and 4 are the parents of the petitioner and now the detenu is under their care and custody and also considering that the detenu herself has expressed



to the effect mentioned supra, the relief sought for in the petition cannot be granted. However, the petitioner is at liberty to work out her remedy through proper forum.

5. With the above observation, this Habeas Corpus Petition is closed.

Sd/-

Assistant Registrar(CO)

/TRUE COPY/

Sub Assistant Registrar

To

1.The Superintendent of Police,
Trichirapalli District.

2.The Inspector of Police,
Somarasampettai Police Station,
Trichirapalli.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to M/s.J.Anandhavalli,Advocate, SR.No.23674

+1cc to Mr.B.Jameel Arasu,Advocate, SR.No.23627

H.C.P (MD)No.272 of 2015
28.04.2015

mj

PA/12.05.2015/2P/6C