



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.07.2015

CORAM:

THE HONOURABLE MR.JUSTICE A.SELVAM

and

THE HONOURABLE MR.JUSTICE V.S.RAVI

HABEAS CORPUS PETITION(MD)No.833 of 2015

S.Toshiba Rani

.. Petitioner

Vs.

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

2.The Inspector of Police,
Lalgudi Police Station,
Trichy District.

3.Pandiyaraj

4.Paulraj

5.Vanitha

.. Respondents

Prayer:-

Habeas Corpus Petition is filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus directing the second respondent to produce the corpus of the detenu namely petitioner's daughter and son namely Axelle Beathak, aged 7 years and Obadiah, aged 3 years before this Court and hand over their custody to the petitioner and pass such further or other orders.

For Petitioner : Mr.N.Ananda Kumar

For RR 1 & 2 : Mr.T.Mohan

Additional Public Prosecutor

For R - 3 : Mr.G.Ganesh Kumar

For RR 4 & 5 : No appearance

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, namely Axelle Beathak, aged 7 years and Obadiah, aged 3 years, children of the petitioner and third respondent.



2. The petitioner is present and she has been identified by her counsel. The third respondent viz., Pandiyaraj has produced the detenu and they have been identified by the petitioner.

3. On both sides, certain allegations have been made against each of them.

4. Considering the allegations levelled against each of them and also considering the fact that the third respondent is the father of the detenu, the relief sought for in the petition cannot be granted and at the most, the petitioner can file proper proceedings for getting proper custody of the detenu before concerned forum. With the above observation, this Habeas Corpus Petition is liable to be disposed of.

5. In fine, this Habeas Corpus Petition is disposed of on the basis of the observation made earlier.

Sd/-

Assistant Registrar(crl.side)

/True copy/

Sub Assistant Registrar

To

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

2.The Inspector of Police,
Lalgudi Police Station,
Trichy District.

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

+1CC TO MR.G. GANESH KUMAR ADVOCATE IN SR NO.38242

ps:

sdr:27.07.2015 :2p/5c

ORDER MADE IN
H.C.P (MD) No.833 of 2015
14.07.2015