

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.02.2016

Coram:

THE HONOURABLE MR.JUSTICE M.JAICHANDREN
and
THE HONOURABLE MR.JUSTICE S.NAGAMUTHU

H.C.P.No.2297 of 2015

S.Padmapriya

.. Petitioner

vs.

1. The Superintendent of Police,
Krishnagiri District,
Krishnagiri.
 2. The Deputy Superintendent of Police,
Thenkanikottai Taluk,
Krishnagiri District,
Krishnagiri.
 3. The Inspector of Police,
Thenkanikottai All Women Police Station,
Krishnagiri District.
 4. Amsa
 5. K.Gnanam
- (5th respondent has been impleaded as per
the order of this Court dated 09.10.2015)

.. Respondents

H.C.P. has been filed for a writ of Habeas Corpus directing the respondents 1 to 3 to produce the petitioner's daughter viz. Janani Sri, daughter of K.Gnanam, aged about 4 ½ years, presently in the custody of respondent No.4, who is the resident of 312, Ravimath Colony, Royakottai Post, Thenkanikottai Taluk, Krishnagiri District, before this Court and set her at liberty.

For petitioner : Mr.M.Radhakrishnan

For Respondents : Mr.V.M.R.Rajentran,
1 to 3 Addl. Public Prosecutor (Crl.side)

For Respondents 4&5 : Mr.R.Muniyapparaj

O R D E R

This Habeas Corpus Petition has been filed to direct the respondents 1 to 3 to produce the petitioner's minor daughter,

namely, Janani Sri, aged about 4 ½ years, said to be in the custody of the 4th respondent, before this Court and to set her at liberty.

2. The father of the minor girl, namely, Janani Sri, has been impleaded as the 5th respondent.

3. At this stage of the hearing of the Habeas Corpus Petition, the learned Counsel appearing on behalf of the petitioner has submitted that the 5th respondent, the father of the minor girl, has filed FCOP.No.147 of 2015, on the file of the Family Court, Salem, seeking divorce and the matter is pending disposal.

4. In such circumstances, we are of the considered view that it is open for the petitioner or the 5th respondent to move the appropriate court for the custody of the minor girl, namely, Janani Sri, in accordance with law.

5. In such circumstances, we do not find any reason to grant the relief, as prayed for in the present Habeas Corpus Petition. Hence, the Habeas Corpus Petition stands dismissed.

Sd/-

Assistant Registrar(CS II)

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Sub Assistant Registrar

To:

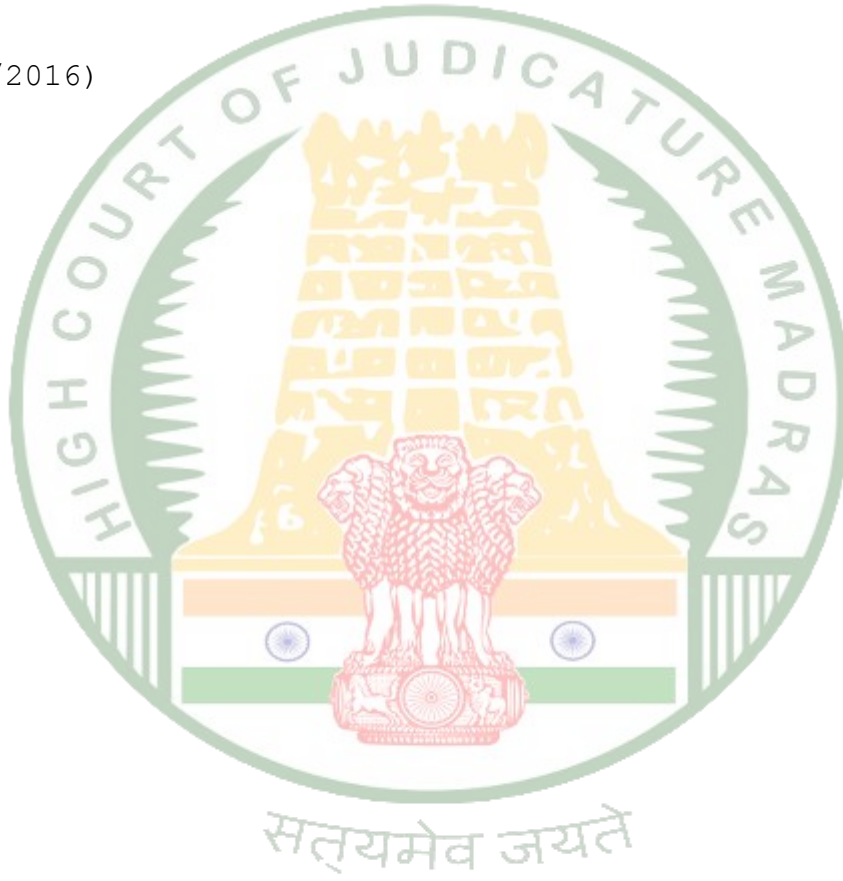
1. The Superintendent of Police,
Krishnagiri District,
Krishnagiri.
2. The Deputy Superintendent of Police,
Thenkanikottai Taluk,
Krishnagiri District,
Krishnagiri.
3. The Inspector of Police,
Thenkanikottai All Women Police Station,
Krishnagiri District.

4.The Public Prosecutor,
High Court,
Chennai.

+1cc to Mr.R.Muniyapparaj, Advocate Sr.6654

H.C.P.No.2297 of 2015

kji (CO)
srg (19/02/2016)



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