

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.06.2016

CORAM

THE HONOURABLE MR.JUSTICE S.NAGAMUTHU
and
THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

H.C.P.No.1171 of 2016

A.Revathi

..

Petitioner

vs.

1.The State rep. By
The Inspector of Police,
All Women Police Station,
Tindivanam,
Villupuram District.

2.S.Ayyanar

..... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of habeas corpus to direct the respondent to produce the body of petitioner's child A.Sunil, son of S.Ayyanar, aged about 5 years, illegally detained by the second respondent herein and produce before this Court and set him at liberty.

For Petitioner

... Mr.S.C.Vijayaselvam

For Respondent

.. Mr.V.M.R.Rajentren,
Additional Public Prosecutor

O R D E R

(The order of the Court was made by S.NAGAMUTHU.,J)

The petitioner is the wife of the second respondent. They have a minor child aged 5 years by name A.Sunil. On the allegation that the second respondent is keeping the child elsewhere illegally, the petitioner who is the wife of the second respondent has come up with this petition.

2.We have heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the State and we have also perused the records carefully. We do not

propose to issue notice to the second respondent

3.A perusal of the records would reveal that there is some matrimonial dispute between the petitioner and the second respondent and the child is being in the custody of the second respondent. It cannot be stated to be illegal. Therefore, no relief could be granted to the petitioner in this Habeas Corpus Petition. The remedy for the petitioner is lies before the Civil Court and therefore, this Habeas Corpus fails and accordingly, the same is dismissed.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

jbm

To

1.The Inspector of Police,
All Women Police Station,
Tindivanam,
Villupuram District.

2.The Public Prosecutor,
High Court, Madras.

sk co
kra 20.06.2016

H.C.P.No.1171 of 2016

सत्यमेव जयते

WEB COPY