

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.6.2016

CORAM

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

H.C.P.No.1239 of 2016

J.Pandiselvi

..... Petitioner

Vs

1. The Commissioner of Police,
Vepery, Chennai-600 008.
2. The Inspector of Police,
W-22, All Women Police Station,
E-1, Mylapore, Chennai-600 004.
3. The Inspector of Police,
E-4, Police Station, Abiramapuram,
Chennai-600 018.
4. John Paul

..... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying to issue a WRIT OF HABEAS CORPUS directing the respondents 1 to 3 to produce the son of the petitioner namely Shyam Sakthi, who is 1 ½ years old, before this Court or his body and set him liberty.

For Petitioner : Mr.V.S.Kesavan

For R1 to R3 : Mr.V.M.R.Rajentren
Additional Public Prosecutor

ORDER

(Order of the Court was made by V.BHARATHIDASAN, J.)

The petitioner is the mother of the detenu, Shyam Sakthi aged about 1½ years. Alleging that the fourth respondent, who is the father of said Shyam Sakthi has taken the child with him, the petitioner has come up with this Habeas Corpus Petition.

2. We have heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for R1 to R3.

3. Now, the child is in the safe custody of his father. In our considered view, there is no scope for any order as prayed for as there is no illegal detention. It is open to the petitioner to seek remedy in the civil court for the legal custody of the child.

4. With this observation, the petition is dismissed.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

To

1. The Commissioner of Police,
Vepery, Chennai-600 008.
2. The Inspector of Police,
W-22, All Women Police Station,
E-1, Mylapore, Chennai-600 004.
3. The Inspector of Police,
E-4, Police Station, Abiramapuram,
Chennai-600 018.
4. The Public Prosecutor,
High Court, Madras.

+2cc to Mr.V.S.Kesavan, Advocate Sr.34217

H.C.P.No.1239 of 2016

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srg 12/07/2016

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