

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.6.2016

CORAM

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

H.C.P.No.1310 of 2016

M.Sultan Abdul Kader ... Petitioner

Vs

1. The Inspector of Police,
Muthupettai Police Station,
Muthupettai,
Tiruvavarur District.

2. Mr.Shahul Hameed ... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying to issue a WRIT OF HABEAS CORPUS directing the respondents police officials to produce the petitioner's minor child S.Rijja Fathima D/o M.Sulthan Abdul Kader aged about 4 years before this Court.

For Petitioner : Mr.A.Arul Deepan (No appearance)
M.Sultan Abdul Kader (party-in-person)

For Respondents: Mr.V.M.R.Rajentren
Additional Public Prosecutor

ORDER

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

The petitioner is the father of a female child aged 4 years by name S. Rijja Fathima. Alleging that the child is detained by the second respondent, who is the maternal grand father of the child, the petitioner has come up with this Habeas Corpus Petition.

2. Today, when the Habeas Corpus Petition came up for hearing, the petitioner made appearance. We heard him. We also heard the learned Additional Public Prosecutor appearing for the respondents.

3. A perusal of the affidavit would go to show that the child is in the safe custody of the grand father. If the petitioner has got any legal right to secure the custody of the child, he can very well work out the same before the competent Civil Court.

4. In our considered view, the relief sought for in this petition cannot be granted. Accordingly, the Habeas Corpus Petition is dismissed.

Sd/-
Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

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To

1. The Inspector of Police,
Muthupettai Police Station,
Muthupettai,
Tiruvavarur District.

2.The Public Prosecutor,
High Court, Madras.

1 cc to Mr.A. Arul Deepan, Advocate, Sr. 36752

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AD (CO)
kk 23/7

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