



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.08.2016

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
and
THE HONOURABLE MR.JUSTICE B.GOKULDAS

H.C.P (MD) No.1080 of 2016

Nagaraj

.. Petitioner

Vs.

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

2.The Inspector of Police,
Achanpudhur Police Station,
Achanpudhur.

3.Karthika

4.Nashar @ Nenilvis

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus, directing the respondents 1 and 2 to produce either the person or corpus of the detenu, namely, Raakshmi, D/o.Nagaraj, aged about 5 years, the daughter of the petitioner, before this Court and set her at liberty.

For petitioner : Mr.T.Indrachithu

For respondents 1&2 : Mr.C.Mayil Vahana Rajendran

Additional Public Prosecutor

O R D E R

[Order of the Court was made by K.K.SASIDHARAN, J.]

The third respondent appeared before us along with the minor child, by name, Raakshmi, aged about 5 years, the detenu herein. According to the third respondent, she left the matrimonial home, along with the minor child, on account of difference of opinion with the petitioner. She is presently staying along with the minor child. The third respondent has no objection in giving visitation rights to the petitioner.

<https://hcservices.ecourts.gov.in/hcservices/>

2. In view of the statement made by the third respondent, the petitioner is given visitation rights to see the child, by



name, Raakshmi, at Door No.15A, Tharul Higma, Airvadi. The third respondent and the authorities at Tharul Higma are directed to permit the petitioner to exercise the visitation rights once in a month. The parties agreed to move the appropriate forum for custody of the children.

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3. The Habeas Corpus Petition is closed with the above observation.

Sd/
Assistant Registrar(W)

/True Copy/

Sub Assistant Registrar.

To:

- 1.The Superintendent of Police,
Tirunelveli District, Tirunelveli.
- 2.The Inspector of Police,
Achanpudhur Police Station,
Achanpudhur.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1CC to M/S. T.Indra Chithu, Advocate, SR.No. 46484

ORDER MADE IN
H.C.P (MD) No.1080 of 2016
22.08.2016

NB
AM/DB/31.08.2016/2P/5C