



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.08.2016

CORAM:

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

H.C.P(MD)No.1161 of 2016

Maruthammal

.. Petitioner

Vs.

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

2.The Inspector of Police,
Thogamalai Police Station,
Karur District.

3.Pushpavalli

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus directing the Respondents 1 to 3 to produce the person or body of detenu Dhamodharan, s/o.Balasubramani, aged about 28 years before this Court from illegal detention of the third respondent and set him at liberty.

For petitioner : Mr.S.M.Mohan Gandhi
For R.1 &2 : Mr.C.Mayilvahana Rajendran
Additional Public Prosecutor

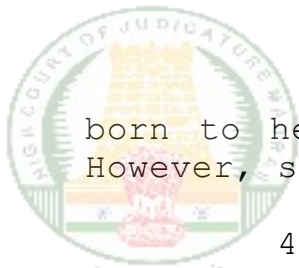
ORDER

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

The petitioner filed this Habeas Corpus Petition on allegation that the detenu by name, Dhamodharan, was in the illegal custody of the third respondent.

2. The detenu appeared before us and submitted that he is staying with his biological mother, the third respondent herein.

3. We have examined the petitioner, the detenu and the third respondent. The petitioner informed us that the detenu was



born to her. He was given to the third respondent temporarily. However, she failed to return the child to him.

4. The third respondent on the other hand contended that the detenu was born to her and the contra contention is not correct.

5. When we examined the detenu, he told us that the third respondent is his mother and he has been living with her. According to the detenu, he is not in illegal custody.

6. The question as to whether the detenu is the son of the petitioner or the third respondent cannot be decided in this proceedings. It is open to the petitioner to approach the concerned Court for the purpose of conducting D.N.A.test and decide the parentage, if she is so advised.

7. The detenu is a major. He is set at liberty.

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

Sd/
Assistant Registrar (AS)

/True Copy/

Sub Assistant Registrar

To:

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

+1 cc to M/S.S.M.MOHAN GANDHI, Advocate Sr.No.48817

H.C.P (MD) No.1161 of 2016
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SMA/SK-SKN/07/10/2016 :2P/5C