



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.02.2016

CORAM:

THE HONOURABLE MR.JUSTICE A.SELVAM

and

THE HONOURABLE MR.JUSTICE G.CHOCKALINGAM

HABEAS CORPUS PETITION (MD) No.195 of 2016

Pothumponnu

... Petitioner

Vs.

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

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

3.A.Kannan

4.Thangaraj

... Respondents

Prayer:- Habeas Corpus Petition is filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus directing the respondents 1 and 2 to produce the petitioner's son, the detenu or his corpus namely K.Jeyasanthan, male, aged about 13 years before this Court and handover the custody to the petitioner forthwith and pass such further or other orders.

For Petitioner : Mr.M.Jegadeesh Pandian

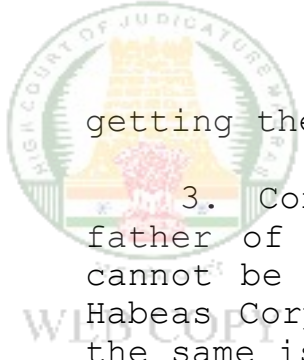
For RR 1 & 2 : Mr.K.S.Duraipandian
Additional Public Prosecutor

ORDER

(Order of the Court was made by A.SELVAM, J)

This Habeas Corpus Petition has been filed under Article 226 of the Constitution of India praying to direct the respondents 1 and 2 to trace out and produce the detenu by name K.Jeyasanthan, aged 13 years old, son of the petitioner and third respondent.

2. It is averred in the petition that the third respondent is the father of the detenu and wife of the petitioner. Now, the detenu is under the custody of the third respondent. Under the said circumstances, the present petition has been filed for



getting the relief sought therein.

3. Considering the fact that the third respondent is the father of the detenu and also his natural guardian, his custody cannot be treated as illegal. Under the said circumstances, this Habeas Corpus Petition is not legally maintainable and therefore, the same is liable to be dismissed.

4. In fine, this Habeas Corpus Petition is dismissed.

Sd/-

Assistant Registrar (AS)

/True copy/

Sub Assistant Registrar

ps

To

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

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

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

CSL/SKS-RR/23.02.2016/2p/4c

ORDER MADE IN
H.C.P (MD) No.195 of 2016
16.02.2016