

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.10.2017

CORAM:

THE HONOURABLE MR.JUSTICE RAJIV SHAKDHER

And

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

H.C.P.No.1730 of 2017

V.Bhavani

... Petitioner

-vs-

1.The Commissioner of Police,
Chennai City,
Vepery,
Chennai-600 007.

2.The Inspector of Police,
W-14, All Women Police Station,
Thiruvottriyur,
Chennai-600 019.

3.Chitra

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, directing the respondents to produce the body and person of the detainee namely, Minor Priya Dharshini, D/o.Sasikumar, aged about 4 years (born on 19.02.2013) before this Court and to set her at liberty.

For Petitioner : Mr. N.Venkatesan

For Respondents: Mr.V.M.R.Rajentran
Additional Public Prosecutor
for R1 and R2
Mr.Abdul Hadi for R3

O R D E R

(Order of the Court was made by RAJIV SHAKDHER,J.)

1.The detainee/Ms.Priya Dharshini, who is a minor, has been produced before us. The petitioner is the mother of the detainee/ Ms.Priya Dharshini. However, the detainee/Ms.Priya Dharshini is being taken care of, since, the time she was three (3) months old by the respondent No.3, who is the sister-in-law of the petitioner.

1.1. There is a registered Adoption Deed on record, which appears to have been executed on 19.05.2013.

2. We interviewed the child. The child seems to be emotionally attached to the respondent No.3 and at present, does not wish to go back to the petitioner.

3. In these circumstances, no order can be passed in the present petition. The petitioner would, however, be free to take recourse to any other remedy that is available to her in law.

4. We may also note here, respondent No.3 has categorically stated that she would have no objection to the petitioner and her other child visiting the detinue/Ms. Priya Dharshini at her house.

4.1. The said statement is taken on record.

5. The petition is, accordingly, disposed of.

-s/d-
Assistant Registrar (CS-IV)

True Copy

Sub-Assistant Registrar

mps

To

1. The Commissioner of Police,
Chennai City,
Vepery,
Chennai-600 007.

2. The Inspector of Police,
W-14, All Women Police Station,
Thiruvottriyur,
Chennai-600 019.

+1 CC to Mr. J. Abdul Hadi, Advocate sr 73952.

H.C.P.No.1730 of 2017

SP(28/11/2017)