



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.04.2017

CORAM:

WEB COPY

**THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
AND
THE HONOURABLE MR.JUSTICE P.VELMURUGAN**

H.C.P(MD)No.266 of 2017

S.Kuzanthai Thersha

... Petitioner

Vs.

1. The Superintendent of Police,
Dindigul District.

2. The Sub Inspector of Police,
Kodaikannal Police Station,
Dindigul District.

3. C.John Vinoth Kumar

... 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 herein to produce the person or body of the petitioner's granddaughter, namely, Monika Solomiya @ Dayana, aged about 9 years, before this Court and hand over her to the petitioner's custody.

For Petitioner : Mr.C.S.Ravichandran

For Respondents : Mr.T.Mohan,

Additional Public Prosecutor for R.1 & R.2
Mr.T.Veerakumar for R.3

ORDER

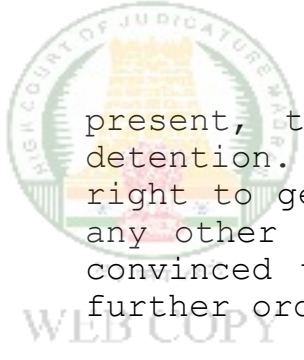
(Order of the Court was made by T.S.SIVAGNANAM,J.)

The petitioner seeks for production of the detenu, who is her granddaughter born to her daughter, namely, Tmt.Velankanni, who is no more.

2. According to the petitioner, the minor detenu has been abducted by the third respondent, who claims to have got in adoption the minor child as early as in 2008 and she is under their care and custody. She is a school-going girl student studying 4th Standard.

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

3. We questioned the minor detenu, who is very clear and she is very happy being in the family of the third respondent. For the



present, this would suffice to hold that she is not in illegal detention. However, we observe that if the petitioner claims any right to get the custody of the minor child or visitation rights or any other remedy, it is before a different forum and since we are convinced that there is no illegal custody of the minor child, no further orders are necessary in this petition.

4. Accordingly, this Habeas Corpus Petition is closed.

Sd/-
Assistant Registrar (RTI)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Dindigul District.
2. The Sub Inspector of Police,
Kodaikannal Police Station,
Dindigul District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+ 1 CC TO Mr.C.S.RAVICHANDRAN, ADVOCATE IN SR No. 51108
+ 1 CC TO Mr.T.VEERAKUMAR, ADVOCATE IN SR No. 50815

RSB

TE/JC : 19/04/2017 : 2P/6C

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