



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.06.2017

CORAM:

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

H.C.P. [MD] .No.858 of 2017

V.Muniyammal @ Lakshmi : Petitioner

Vs.

1.The Superintendent of Police,
Madurai District.

2.The Inspector of Police,
Sedapatti Police Station,
Sedapatti, Madurai District.

3.Veeraputhiran : Respondents

PRAYER: 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 body or person of the petitioner's minor son, detenu, namely, Pugal, S/o.Veeraputhiran, aged about 6 years before this Court and hand over the custody to the petitioner.

For Petitioner : Mr.P.Senguttuarasan

For Respondents 1&2 : Mr.T.Mohan
Additional Public Prosecutor

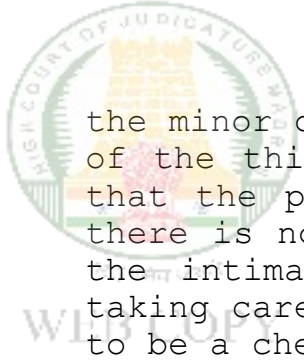
O R D E R

[Order of the Court was made by **T.S.SIVAGNANAM, J.**]

Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondents 1 and 2.

2. The present Habeas Corpus Petition has been filed seeking a Writ of Habeas Corpus, directing the respondents 1 and 2 to produce the body or person of the petitioner's minor son, detenu, namely, Pugal, S/o.Veeraputhiran, aged about 6 years, before this Court and hand over the custody to the petitioner.

3. The petitioner is the mother of the detenu. It appears that the petitioner and the third respondent had a live-in relationship, out of which the minor detenu was born. The second respondent police has brought the minor detenu and the third respondent, the father of



the minor detenu. The minor detenu is now under the care and custody of the third respondent for about one and half year. It is stated that the petitioner is 20 years elder to the third respondent and there is no marriage between him and the petitioner, but because of the intimacy with the petitioner, the child was born and he is taking care of the child. We questioned the minor child, who appears to be a cheerful boy and studying first standard.

4. In view of the above, we find that there is no illegal custody of the detenu. Hence, the Habeas Corpus Petition is dismissed.

Sd/-
Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To

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

NB

JS/KKR/SAR.2/23.06.2017/2P-4C

ORDER MADE IN
H.C.P. [MD] .No.858 of 2017
15.06.2017