



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.03.2017

CORAM:

THE HONOURABLE MR.JUSTICE **R.SUBBIAH**
AND
THE HONOURABLE MRS.JUSTICE **J.NISHA BANU**

H.C.P. [MD].No.1547 of 2016

Suganyadevi : Petitioner

Vs.

1.The State, rep by
The Superintendent of Police,
Madurai District, Madurai.

2.The Inspector of Police,
All Women Police Station,
Samayanallur, Madurai District.

3.Ganeshan : 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 corpus of the petitioner's daughter, namely, Lashritha, D/o.Ganeshan, aged about two and half years, residing at 1/5, North Street, Siruvalai Village, Madurai District, before this Court, by securing from the illegal detention of the third respondent and hand over the custody to the petitioner forthwith.

For Petitioner : Mr.B.Jeyakumar

For Respondents 1&2 : Mr.K.S.Duraipandian
Additional Public Prosecutor
R3 : Mr.T.Selvam

O R D E R

[Order of the Court was made by **R.SUBBIAH, J.**]

The present Habeas Corpus Petition has been filed by the mother of the detenu, seeking a Writ of Habeas Corpus, directing the respondents to produce the person or body of the detenu, namely, Lashritha, D/o.Ganeshan, aged about two and half years, residing at 1/5, North Street, Siruvalai Village, Madurai District, before this Court, by securing from the illegal



detention of the third respondent and hand over the custody to the petitioner forthwith.

2. According to the petitioner, the marriage between the petitioner and the third respondent was solemnized on 14.06.2013. Out of the said wedlock, they blessed with a female child, named Lashritha. Thereafter, there arose misunderstanding between the petitioner and the third respondent. While so, on 13.10.2016, the third respondent trespassed into the house, attacked the petitioner and took away the child forcibly. In this regard, the petitioner made a complaint before the second respondent. Since there were no effective steps taken by the second respondent police to trace out the detenu, the petitioner has come up with the present Habeas Corpus Petition.

3. When the Habeas Corpus Petition was taken up for consideration, on the basis of the joint representation made by the parties, the Habeas Corpus Petition was referred to the Mediation and Conciliation Centre, attached to this Bench, for arriving at an amicable settlement between the parties.

4. Today, when the Habeas Corpus Petition is taken up for consideration, it is submitted by the learned counsel on either side that the mediation failed.

5. In view of the above, the Habeas Corpus Petition is closed giving liberty to the parties to work out their remedy before the appropriate forum.

Sd/-
Assistant Registrar(AE)

/True Copy/

Sub Assistant Registrar

NB

To

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

2.The Inspector of Police,
All Women Police Station,
Samayanallur, Madurai District.

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

JAM/10.03.17 /PN / 2p-4c