



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.01.2017

CORAM:

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

H.C.P. [MD]. No. 1639 of 2016

Sophia : Petitioner

Vs.

1. The Superintendent of Police,
Dindigul District.

2. The Inspector of Police,
All Women Police Station,
Dindigul.

3. S. Jerald Selvanathan : 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 herein to produce the body and person of petitioner's minor daughter, Ms. J. Jerlin Rithanya, D/o. Jerald Selvanathan, aged 3^{1/4} years, from the illegal custody of the third respondent herein, before this Court and set her at liberty.

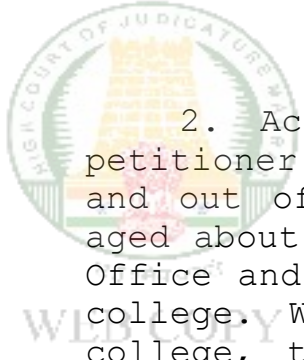
For Petitioner : Mr. K. Appadurai

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

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 wife of the minor child, seeking a Writ of Habeas Corpus, directing respondents 1 and 2 herein to produce the body and person of petitioner's minor daughter - Ms. J. Jerlin Rithanya, D/o. Jerald Selvanathan, aged 3^{1/4} years, from the illegal custody of the third respondent herein, before this Court and hand over her custody to the petitioner.



2. According to the petitioner, the marriage between the petitioner and the third respondent was solemnized on 10.06.2012 and out of the said wedlock, they have got a female child, now aged about 3^{1/4} years. Her husband has been working in an Auditor's Office and the petitioner has been undergoing M.Sc., in a private college. While so, on 14.09.2015, when she came back from the college, the third respondent did not turn up from the office. Though she went in search of the third respondent, the petitioner could not find him anywhere. Thereafter, on 03.01.2016, the third respondent, without informing the petitioner, took the child. Since the whereabouts of the minor child were not known, the petitioner made a complaint to the second respondent police. Since there were no effective steps taken by the second respondent police, the petitioner has come up with the present Habeas Corpus Petition.

3. Today, when the Habeas Corpus Petition was taken up for consideration, the petitioner and the third respondent appeared before this Court and made a joint statement that they are ready and willing to live peacefully along with their child.

4. In view of the said submission made by both parties, we are of the considered view, nothing survives for adjudication in the Habeas Corpus Petition. Hence, the Habeas Corpus Petition is closed.

Sd/-

Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar

To

1.The Superintendent of Police,
Dindigul District.

2.The Inspector of Police,
All Women Police Station,
Dindigul.

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

+1 cc to MR.K.APPADURAI, Advocate SR.No.2184

+1 cc to MR.K.ABIYA, Advocate SR.No.2351

ORDER MADE IN
H.C.P. [MD] .No.1639 of 2016
11.01.2017