

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 21.02.2018

Coram

THE HON'BLE MR.JUSTICE C.T.SELVAM
AND
THE HON'BLE MR.JUSTICE N.SATHISH KUMAR

H.C.P.No.251 of 2018

T. Arun

... Petitioner

Vs.

1. The State
Rep. by Inspector of Police
Irumbulikulurichi Police Station
Ariyalur District.

2. Mrs. Latha
3. Mrs.Kasthuri
4. R. Manivannan

5. The Superintendent of Police
Superintendent of Police Office
Ariyalur District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, to direct the First and Fifth respondent to produce the body of the person of the detainee, the petitioner son Minor Bharani aged 2 years before this Court.

For Petitioner : Mr.N.R. Elango
Senior Counsel
for Mr.K.J. Saravanan

For R1 & R5 : Mr.V.M.R.Rajentran,
Addl. Public Prosecutor

For R3 & R4 : Mr.M. Sathishkumar

O R D E R

(Order of the Court was made by C.T. SELVAM, J.)

This Court under Order in H.C.P.No.1635 of 2017 dated 03.10.2017 directed that the custody of the minor son of petitioner would be in the hands of 2nd respondent (both in

H.C.P.No.1635/2017 and the present proceeding) unless orders to the contrary are passed by the competent Court.

2. Mr.N.R. Elango, learned Senior counsel appearing for the petitioner submits that the second respondent has left for Saudi Arabia for employment and entrusting the custody of the child to 3rd respondent, her sister. Learned Senior Counsel informs the apprehension of the petitioner that 3rd respondent may move from India for employment overseas, taking along with her the infant child of the petitioner.

3. We have heard Mr.M. Sathishkumar learned counsel for 3rd and 4th respondents on such submission.

4. Recording the undertaking made on behalf of 3rd respondent by her counsel to the effect that the minor child of petitioner will not be taken outside India without seeking permission of this Court, present Habeas Corpus Petition is disposed of.

-s/d-

Assistant Registrar (CS-IV)

True Copy

Sub-Assistant Registrar

ggs
To

1. The Superintendent of Police
Superintendent of Police Office
Ariyalur District.
2. Inspector of Police
Irumbulikurichi Police Station
Ariyalur District.
3. The Public Prosecutor,
Madras High Court,
Chennai.

+1 CC to Mr.K.J. Saravanan, Advocate sr 13108.
+1 CC to Mr.M. Sathish Kumar, Advocate sr 13270.

H.C.P.No.251 of 2018

SP(04/04/2018)