

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED:16.02.2018

CORAM:

THE HONOURABLE MR.JUSTICE C.T.SELVAM
and
THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

H.C.P.No.2080 of 2017

T.Devi ... Petitioner

-Vs-

1.The Inspector of Police,
Office of Inspector General of Police,
Gandhi Irwin Salai,
Mylapore, Chennai.

2.The Commissioner of Police,
Office of Commissioner of Police,
Periyamedu, Chennai.

3.The Inspector of Police,
V-5 Police Station,
Mogappair East,
J.J.Nagar, Chennai-37.

4.D.Gangadaran ... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, to direct the 1 to 3 respondents to trace out the petitioner's minor son Ritiskar Aged 8 years and produce him before this Honble Court.

For Petitioner : Mr.C.B.Muralikrishnan
For Respondents : Mr.V.M.R.Rajentran, APP
For RR1 to 3

ORDER

[Order of the Court was made by C.T.SELVAM, J.]

Petitioner is the mother of the child and the petition has been moved towards obtaining custody of the child.

2. We have heard learned counsel for petitioner, learned Additional Public Prosecutor appearing for respondents 1 to 3 as also Mr.K.Srinivasa Murthy, CGSC.

3. Pursuant to the direction of this Court, the fourth respondent/husband of the petitioner has been served and learned counsel for third respondent has placed before us a communication received from him. The same discloses that

the child is in his custody and well with the attendant benefit of both the fourth respondent/father as also his parents. As the issue boils down to a battle for custody of minor child, we are now satisfied that the minor child is not in harms way. It is also submitted by learned counsel for petitioner that the petitioner herself has been in Dubai for over a period of one year.

4. In the circumstances, this Habeas Corpus Petition is closed. It will be open to parties to work out their remedy before appropriate forum.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

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To

- 1.The Inspector of Police,
Office of Inspector General of Police,
Gandhi Irwin Salai,
Mylapore, Chennai.
- 2.The Commissioner of Police,
Office of Commissioner of Police,
Periyamedu, Chennai.
- 3.The Inspector of Police,
V-5 Police Station,
Mogappair East,
J.J.Nagar, Chennai-37.
- 4.The Public Prosecutor,
High Court, Madras.

Copy to:The Section Officer,
Criminal Section, High Court, Madras

+2cc to Mr.C.B.Muralikrishnan, Advocate SR.No.11980
+1cc to Mr.K.Srinivasamurthy, Advocate Sr.No.11959

MR(CO)

sm:6.3.2018

H.C.P.No.2080 of 2017