

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 02.01.2018

Coram

THE HON'BLE MR.JUSTICE RAJIV SHAKDHER
&
THE HON'BLE MR.JUSTICE N.SATHISH KUMAR

H.C.P.No.2163 of 2017

G.Arunachalam

... Petitioner

Vs.

1.The Commissioner of Police
Coimbatore City, Kovai.

2.The State rep. by
The Inspector of Police
Kovai Singanallur Police Station
Kovai East, Coimbatore.

3.The State rep. by
The Inspector of Police
All Women Police Station - Kovai East
Coimbatore.

4.S.Samundeeswari

.... Respondents

HCP.No.2163 of 2017: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, directing the respondents 2 & 3 herein to produce the petitioner's minor Child A.Abhijith, aged about 11 years before this Hon'ble court and set at liberty.

For Petitioner : Mr.N.Vijaya Basker

For Respondents : Mr.V.M.R.Rajentran,
1 to 3 Addl. Public Prosecutor.

For Respondent 4 : Mr.M.N.Balakrishnan

O R D E R

(Order of the Court was made by RAJIV SHAKDHER, J.)

1. The petitioner is the husband of the respondent no.4.

2. We have interacted with the petitioner and respondent no.4.

2.1.The petitioner and respondent no.4 are the parents of the detenu, i.e., Master A.Abhijith.

3. To be noted, the detenu/Master A.Abhijith, who is a minor, is an autistic child and therefore, is in need of special care and therapy.

4.We are also informed that a divorce petition is pending adjudication between the petitioner and respondent no.4.

5.Having regard to the needs of the child/Master A.Abhijith, both the petitioner and respondent no.4 have agreed that the instant petition can be disposed of, based on the following directions:

(i) The petitioner will pay a sum of Rs.10,000/- (Rupees ten thousand only) per month for the maintenance and therapy of Master A.Abhijith.

(ii) The money will be deposited by the petitioner in the bank account of respondent no.4, based on the details of the bank account being given, via her advocate to the petitioner's Advocate and/or the petitioner himself.

(iii) Respondent no.4 will give access to the Master A.Abhijith on every Sunday of the month between 10.00 a.m to 2.00 p.m. The child/Master A.Abhijith will be brought to the Eachanari Temple located at Coimbatore, as agreed for this purpose.

(iv) Respondent no.4, who is, presently, residing at the address given below shall intimate to the petitioner, if, there is any change in address : No.S3, Alli Block, P.G.P. Village Apartment, Singanallur 641 005, Phone: 8838123384.

(v) Respondent no.4, has also agreed that, even, if, there a change in address, access to the child will be given to the petitioner, as indicated in clause (iii) above.

6. With these directions, the petition is closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

as

To

1.The Commissioner of Police
Coimbatore City, Kovai

2.The Inspector of Police
Kovai Singanallur Police Station
Kovai East, Coimbatore

3.The Inspector of Police
All Women Police Station - Kovai East
Coimbatore

4.The Public Prosecutor
High Court, Madras

+1 cc to M/s.Law Vision Sr 90

+1 cc to Mr.M.N.Balakrishnan Advocate sr 329

H.C.P.No.2163 of 2017

gjII(co)
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