

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.03.2018

CORAM

THE HONOURABLE MR.JUSTICE C.T.SELVAM

and

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

H.C.P.No.2226/2017

G.Abirami

...Petitioner

VS.

1.The Inspector of Police,
Santhavasal Police Station
Santhavasal, Polur Taluk,
Thiruvannamalai District.

2.The Superintendent of Police,
Office of the Superintendent of Police,
Thiruvannamalai.

3.V.Gunasekaran

.. Respondents

Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Habeas Corpus, directing particularly in the nature of a writ, directing the 1st and 2nd respondents herein to produce the body of the petitioner's 2 year and 7 months old daughter namely Divyasri, the detinue herein before this Hon'ble Court and set her at liberty from the illegal custody of the 3rd respondent forthwith.

For Petitioner : Mr.S.B.Viswanathan

For RR1 & 2 : Mr.R.Prathap Kumar, APP

For R3 : Mr. Hasan Mohamed Jinnah

ORDER

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

Petitioner, mother of detainee Divyasri aged about 2 years and 7 months, is the wife of 3rd respondent herein and she has moved this petition, informing that her minor daughter, who was in her custody, had been snatched away by the 3rd respondent and seeking direction to respondents 1 and 2, to cause production of her minor child.

2 Perusal of the affidavit of the petitioner as also the counter of the 3rd respondent and consideration of submissions of either counsel, reveal that both petitioner and 3rd respondent are exchanging charges of the other being in illicit relationship. The admitted position is that the child is in the custody of the 3rd respondent-father and natural guardian and child, sleeping on his shoulders, is before this Court.

3 In the said circumstance of the case, this Court considers it appropriate to close this petition with a direction to the petitioner and the 3rd respondent to work out their rights before appropriate Forum.

4 Accordingly, the petition stands closed with the above direction.

[C.T.S., J.] [N.S.K., J.]
12.03.2018

AP

To

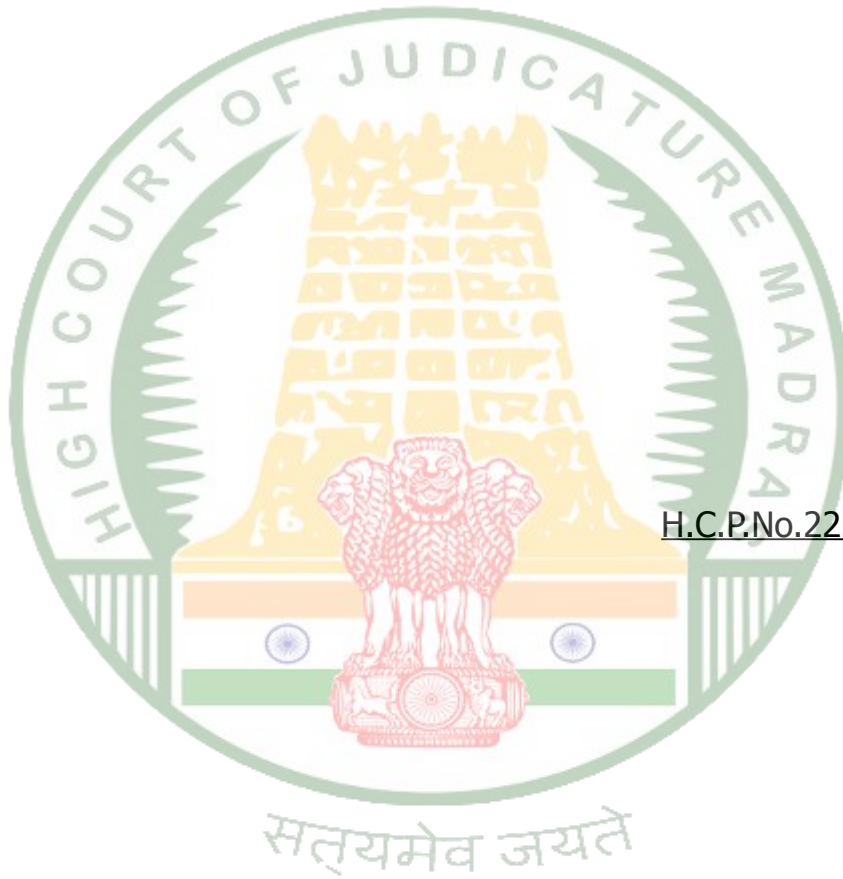
- 1.The Inspector of Police,
Santhavasal Police Station
Santhavasal, Polur Taluk,
Thiruvannamalai District.
- 2.The Superintendent of Police,
Office of the Superintendent of Police,
Thiruvannamalai.
- 3.The Public Prosecutor, High Court, Madras.

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C.T.SELVAM, J.,

AND
N.SATHISH KUMAR, J.

AP



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