

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.01.2018

CORAM:

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

H.C.P.No.59 of 2018

C.Kalaiselvan

... Petitioner

-Vs-

1. The Assistant Commissioner of Police,
Tambaram Range,
Tambaram, Chennai.
2. The Inspector of Police,
S-11, Tambaram Police Station,
Tambaram, Chennai.
3. K.Deepa
4. Vijay Gurunathan

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, directing the respondents 1 and 2 to produce petitioner's sons (i) Simon, now minor aged 9 years and (ii) Shiney now minor aged 7 years, who are now under the illegal custody of the fourth respondent, before this Hon'ble Court and set them liberty.

For Petitioner :Mr.M.Babu Muthu Meeran

For Respondents : RR1&2- Mr.V.M.R.Rajentran
Additional Public Prosecutor

ORDER

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

Petitioner, who is the father of the detenus herein, viz., (i) Simon, now minor aged 9 years and (ii) Shiney now minor aged 7 years, has filed this petition seeking production of his children.

2. We have heard learned counsel for the petitioner and learned Additional Public Prosecutor appearing for respondents 1 and 2.

3. The respondent police have produced the detenues viz., (i) Simon and (ii) Shiney. Admittedly, the marriage between the petitioner and the third respondent has ended in a decree of divorce. The third respondent/mother of the children informs of her having entered upon a further marriage and children continuously having been under her care.

4. In the circumstances, this Habeas Corpus Petition shall stand dismissed. It is for the parties to workout their rights in accordance with law.

s/d-

Assistant Registrar (CS-V)

True Copy

Sub-Assistant Registrar

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To:

1. The Assistant Commissioner of Police,
Tambaram Range,
Tambaram, Chennai.
2. The Inspector of Police,
S-11, Tambaram Police Station,
Tambaram, Chennai.
3. The Public Prosecutor,
High Court, Madras.

सत्यमेव जयते

H.C.P.No.59 of 2018

MG (CO)
SP (20/02/2018)

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