



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.01.2018

CORAM:

WEB COPY

**THE HONOURABLE DR. JUSTICE S.VIMALA
AND
THE HONOURABLE MRS.JUSTICE T.KRISHNAVALLI**

HCP [MD].No.68 of 2018

P.Surya Prabha

: Petitioner

Vs.

1. The Commissioner of Police,
Madurai City,
Madurai.

2. The Deputy commissioner of Police, (L& O),
Madurai City,
Madurai.

3. The Inspector of Police,
Theppakulam Police Station,
Madurai-9.

4. M.Veerasrinivasan

5. Veera Siva Subashini

: Respondents

PRAYER: Habeas Corpus Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Habeas Corpus, directing the respondents to trace out and produce the detenu namely Veera Manish Pandiyan, S/o. Veera Sreenivasan the 11 month old male baby, Son of the petitioner and the 4th respondent before this Court and hand over to the petitioner.

For Petitioner : Mr.R.Murugan

For R1 to R3 : Mr.C.Ramesh

Additional Public Prosecutor

ORDER

[Order of the Court was made by S.VIMALA, J]

The petitioner, who is the mother of the detenu, has moved this petition for a direction to the Respondent Nos.1 to 3 to produce her son, namely, Veera Manish Pandiyan, aged about 11 months old male baby, before this Court.



2. According to the petitioner, when the petitioner was in her parental home, the 4th and 5th respondents have taken the child forcibly and thereafter, the whereabouts of the detenu/child was not known.

3. When the matter was taken up today, it is stated by the learned Additional Public Prosecutor that the detenu/child, who is in the custody of the fourth respondent, has been secured and handed over to the petitioner herein. The petitioner and the detenu/child are also present before this Court today.

4. It is stated that it is a dispute between husband and wife. Needless to point out that the paramount interest is the welfare of the child. Therefore, the matter is referred to the Mediation and Conciliation Centre attached to this Bench to arrive at an amicable settlement between the parties. The Mediation and Conciliation Centre, after issuing summons to the fourth respondent and the petitioner shall try to mediate and submit a report to this Court. With this observation and direction, this Habeas Corpus Petition is closed.

Sd/-
Assistant Registrar (P&A)

/True Copy/

Sub Assistant Registrar

To

1. The Commissioner of Police,
Madurai City,
Madurai.
2. The Deputy commissioner of Police, (L& O),
Madurai City, Madurai.
3. The Inspector of Police,
Theppakulam Police Station,
Madurai-9.
4. The Deputy Registrar,
Lok Adalat/Mediation and Conciliation Centre,
Madurai Bench of Madras High Court, Madurai.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

RMI/RR
TE/RSK/SAR-1 : 09/02/2018 : 2P/6C