



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.06.2018

CORAM:

THE HONOURABLE Mr. JUSTICE C.T.SELVAM

and

THE HONOURABLE Mr. JUSTICE A.M.BASHEER AHAMED

H.C.P. (MD) No.701 of 2018

Juliet Nirmala

... Petitioner

Vs.

1.The Superintendent of Police,
O/o. Superintendent of Police,
Dindigul District,
Dindigul.

2.The Inspector of Police,
Thadikombu Police Station,
Dindigul District.

3.Vijayakanth @ Sam Daniel

4.Victoria

... Respondents

PRAYER: The petition filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus, directing the Respondents to produce the body and person of petitioner's Minor son Joshwa Naveen, aged 42 and minor son Joyson Enoke Cervin, aged 8 years and set them at liberty and handover the custody of petitioner's children to her.

For Petitioner : Mr.R.Varatharajan

For Respondents : Mr.K.Dinesh Babu,
1 & 2 Additional Public Prosecutor.For Respondents : No appearance
3 & 4**ORDER****(Order of the Court was made by C.T. SELVAM,J.)**

Petitioner has sought production of her minor sons Joshwa Naveen, aged 12 years and Joyson Enoke, aged 8 years, before this Court and handing over of their custody to her.



2.On 07.06.2018, this Court passed the following order:

"Heard both sides.

Recording the submissions of Mr.D.Selvanayagam, learned counsel for respondents 3 & 4 that the minor children i.e., sons of petitioner and third respondent will be produced before this Court along with certificates from the school informing the date from which both minor children are studying from the school, the matter stands adjourned to 22.06.2018."

3.Petitioner is present along with minor children. She informs that of receiving a frenetic call from her son Joshwa Naveen on 08.06.2018 i.e. the date immediately after the last hearing that he and his brother wished to be under the care and custody of the petitioner and that if she did not immediately respond, he would have to run away. Therefore, she has gone and collected them at a predesignated place near school. The elder boy Joshwa Naveen confirms such position. Both the children seem to be happy under the care and custody of their mother/petitioner.

4.Recording the above position, this Habeas Corpus Petition stands closed.

Sd/-

Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar

To

- 1.The Superintendent of Police,
O/o. Superintendent of Police,
Dindigul District,
Dindigul.
- 2.The Inspector of Police,
Thadikombu Police Station,
Dindigul District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

H.C.P. (MD) No.701 of 2018
11.06.2018

SJ

ES/SV/MMS/SAR 1/25.06.2018/2P/4C

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