



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.05.2018

CORAM:

THE HONOURABLE MR.JUSTICE **D.KRISHNAKUMAR**
and
THE HONOURABLE MR.JUSTICE **R.SURESH KUMAR**

H.C.P (MD) No.706 of 2018

S.Varni Devi

.. Petitioner

Vs.

1. The Superintendant of Police,
Sivagangai,
Sivagangai District.
2. The Sub Inspector of Police,
Sivagangai Taluk Police Station,
Sivagangai District.
- 3.V.Karuppanan
- 4.K.Rajammal
- 5.Kalaiselvi
- 6.Karthi

.. Respondents

PRAYER: Habeas Corpus Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus directing the respondents 1 and 2 to produce the petitioner's daughter namely Agasthiya D/o.Varnidevi (Detenu) aged about 9 years, either in person by body before this Court from the illegal detention of the respondents 3 to 6 and hand over the custody to the petitioner.

For Petitioner : Mr.J.Jeyakumaran

For R1 and R2 : Mr.K.K.Ramakrishnan
Additional Public Prosecutor

For R3 : Mr.R.Venkatesan

O R D E R

(Order of the Court was made by **D.KRISHNAKUMAR, J.**)

This petition has been filed by the mother of the detenu, alleging that the detenu has been kept by the respondents 3 to 6, who is none other than the father-in-law, mother-in-law, sister-in-law and brother-in-law of the petitioner.

2.The detenu is a nine year old girl. The respondent police produced the detenu along with the respondents 3 and 4 before us. We questioned the respondents 3 and 4 and we also spoke to the minor child, who appears to be happy and cheerful and she is studying fifth standard. Since the father of the detenu is no more, the respondents 3 and 4 (paternal grand parents) are stated to have been taking care of the minor child. It appears that the child is more happy to live with her grand parents. Therefore, we do not wish to disturb the said position by way of this Habeas Corpus Petition.

3. Accordingly, the Habeas Corpus Petition is closed. However, it is open to the petitioner to move the appropriate Court, if so advised.

Sd/-

Assistant Registrar(T&P)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendant of Police,
Sivagangai, Sivagangai District.

2. The Sub Inspector of Police,
Sivagangai Taluk Police Station,
Sivagangai District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+ 1 cc TO Mr.J.Jeyakumaran , Advocate in SR No. 66089

RM/STS

AE/SB/SAR3/18.06.2018/2P/5C