



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 08.06.2018

CORAM:

THE HONOURABLE MR.JUSTICE C.T.SELVAM
AND
THE HONOURABLE MR.JUSTICE A.M.BASHEER AHAMED

H.C.P.[MD].No.744 of 2018

Syed Ali Fathima : Petitioner
Vs.

1.The Superintendent of Police,
Tirunelveli District,
Tirunelveli.

2.The State Rep. by
The Inspector of Police,
All Women Police Station,
Palayamkottai,
Tirunelveli District.
(Crime No.11 of 2018)

3.The President/Member,
District Children Welfare Board,
Saranalayam Children Home,
Balapackia Nagar,
Tirunelveli,
Tirunelveli District.

: Respondents

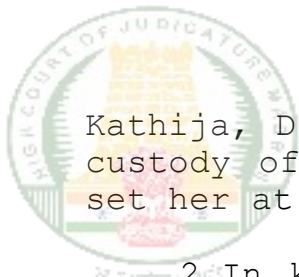
PRAYER: Petition is filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus, directing the respondents 1 and 2 to secure petitioner grant daughter or her corpus by name Kathija, D/o.Rasul Beevi, who is aged about only 5 months from the custody of the third respondent and produce her before this Court and subsequently hand over the custody of the baby to the petitioner and her daughter namely Rasool Beevi forthwith.

For Petitioner : Mr.S.Palani Velayutham
For R1 & R2 : Mr.K.Dinesh Babu,
Additional Public Prosecutor
For R3 : Mr.B.Nalachandrasekaran
(appeared in person)

O R D E R

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

The present Habeas Corpus Petition has been filed by the grand
<https://hcservices.ecourts.gov.in/hcservices/>
mother of the detenu, seeking a Writ of Habeas Corpus, directing the
respondents 1 and 2 to secure petitioner's grant daughter by name



Kathiya, D/o.Rasul Beevi, who is aged about only 5 months, from the custody of the third respondent and produce before this Court and set her at liberty.

2. In keeping with our earlier directions, the third respondent is present. In the circumstances, where the minor mother of the infant child aged 5 months has been placed in the custody of the petitioner i.e., grand mother of the infant, this Court considers it appropriate to hand over the custody of the infant child to its mother through the petitioner and accordingly directs the third respondent to hand over the custody of the minor child, aged about 5 months, to its mother through the petitioner, the grand mother.

3. The petitioner shall take good care both of her daughter viz., Rasul Beevi, aged 17 years as also the infant baby aged 5 months. Her doing so will be monitored by the District Social Welfare Officer by visiting the premises of the petitioner once in 10 days for a period of six months and thereafter, once a month for a further period of six months. The District Social Welfare Officer is upon a duty to inform any wrong doing/offending conduct, which comes to knowledge, by way of communication to the Registrar Judicial attached to the Madurai Bench of Madras High Court. In the event any such communication by the District Social Welfare Officer, the matter shall be re-listed for hearing.

4. For the present, this petition shall stand closed.

Sd/-
Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Tirunelveli District,
Tirunelveli.
2. The Inspector of Police,
All Women Police Station,
Palayamkottai,
Tirunelveli District.
3. The President/Member,
District Children Welfare Board,
Saranalayam Children Home,
Balapackia Nagar,
Tirunelveli,
Tirunelveli District.



4.The District Social Welfare Officer,
Collectorate Campus, Palayamkottai,
Tirunelveli District - 627 009.

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

COPY TO:

The Registrar (Judicial),
Madurai Bench of Madras High Court,
Madurai.

+1cc to M/S.S.Palani Velayutham, Advocate SR.No. 67461

ORDER MADE IN
H.C.P (MD) No.744 of 2018
08.06.2018

am

JM/SKN RSK/SAR 2/11.06.2018/3P/8C