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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.06.2019

Coram

The Hon'ble Mr. Justice M.M.SUNDRESH
and
The Hon'ble Mr. Justice M.NIRMAL KUMAR

H.C.P.No.904 of 2019

Firosebanu .. Petitioner

Vs.

1.The Superintendent of Police,
Office of the Superintendent of Police,
Thiruvarur District.

2.The Inspector of Police,
All Women Police Station,
Thiruvarur District.

3.Haja Bahurudeen Ali Ahammed .. Respondents

Petition filed under Article 226 of the Constitution of India praying for a writ of habeas corpus, to direct the 2nd respondent to produce the body of the Petitioner's son Nafish Shahufas aged about 10 years and the petitioner's daughter Nafiya Jafrin aged about 9 years who are in the illegal custody of the 3rd respondent and set them at liberty.

For Petitioner .. Mrs.Greetha Senthilkumar

For R1, R2 .. Mr.C.Iyyapparaj
Additional Public Prosecutor

ORDER

(Order of the Court was delivered by M.M.SUNDRESH, J.)

The petitioner is the mother of the missing son and daughter. She has come up with this petition seeking a direction to the 2nd respondent for the production of her son and daughter.



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2. The petitioner and the 3rd respondent were wife and husband initially. Thereafter, the petitioner has remarried. She also begotten a child through the subsequent marriage.

3. Now, the present petition has been filed with respect to the custody of the children born through the wedlock with the 3rd respondent.

4. In view of the above, we do not find any illegal custody involved in this matter. However, it is open to the petitioner to seek custody of the minor children before the jurisdictional court, if so advised.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

kmk/smv

To

1.The Superintendent of Police,
Office of the Superintendent of Police,
Thiruvavarur District.

2.The Inspector of Police,
All Women Police Station,
Thiruvavarur District.

3.The Public Prosecutor,
High Court, Madras - 104.

+1cc to Mr.N.S.Nageshwaran , Advocate SR.No. 55059

+1cc to Mrs.Greetha Senthilkumar , Advocate SR.No. 54779

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A.SK(06/08/2019)