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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.07.2019

Coram

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

H.C.P.No.1253 of 2019

Mrs.Mohana ... Petitioner

Vs.

1.The Commissioner of Police,
Chennai City Police,
Veppery,
Chennai - 600 007.

2.The Inspector of Police,
J7 Velachery Police Station,
Velachery, Chennai.

3.Prakash ... Respondents

Petition filed under Article 226 of the Constitution of India praying for a writ of habeas corpus, to direct the respondents to produce the petitioner's daughter and grand children viz. 1.Nadhini (aged about 28 years), 2.Rakesh (aged about 10 years) and 3.Logesh (aged about 8 years) before this Court, from the illegal custody of the 3rd respondent and set them at liberty.

For Petitioner .. Mr.D.Thanigaivasan

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 1st detainee - Nadhini, aged about 28 years and maternal grand mother of the other detainees namely Rakesh and Logesh. The 3rd respondent is the husband of the 1st detainee and father of the other detenus. This petition has been filed seeking a direction to the respondents



for production of the detenues from the illegal custody of the 3rd respondent.

2. This is nothing but a matrimonial dispute which is sought to be converted into illegal detention. According to the learned Additional Public Prosecutor, both the 1st detainee and the 3rd respondent, being wife and husband, gone to the Police station and deposed that the children are with them. Thus, we do not find any illegal detention involved in this matter, more particularly, when the 1st detainee and the 3rd respondent are parents of the children.

3. In view of the above, this Habeas Corpus Petition stands closed setting the detenues at liberty.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

kmk/smv
To

1.The Commissioner of Police,
Chennai City Police,
Veppery,
Chennai - 600 007.

2.The Inspector of Police,
J7 Velachery Police Station,
Velachery, Chennai.

+1cc to Mr.D.Thanigaivasan, Advocate Sr.62625

H.C.P.No. 1253 of 2019

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srg 05/09/2019