

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.08.2019

Coram

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

H.C.P.No.1537 of 2019

N.Sudhakar

.. Petitioner

Vs

1. The Inspector of Police,
P-5, Mahakavi Barathi Nagar Police Station,
Chennai - 600 039.

2. J.Sudha

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for a writ of habeas corpus, to direct the 1st respondent to produce the petitioner's minor child Monisha, 2 years, 2 months, before this Court from the custody of 2nd respondent and hand over the child custody to the petitioner.

For Petitioner.. Mr.S.Santhanam

For R1 .. Mr.C.Iyyapparaj

Additional Public Prosecutor

ORDER

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

The petitioner, who is the father of the detainee - Minor Child Monisha aged 2 years, 2 months. This petition has been filed by him seeking a direction to the 1st respondent for the production of his child.

2. We do not find any illegal custody involved in this case. The petitioner though is the father of the detainee, the detainee is now under the custody of the 2nd respondent, who is none other than the grand mother. It appears that the detainee has

been living with the 2nd respondent from her birth. The wife of the petitioner, who is the daughter of the 2nd respondent is no more. Though a case has been registered under Section 174 of Cr.P.C., the inquiry by the Revenue Divisional Officer is yet to be over.

3. Considering the above, we do not find any illegal custody involved in this case and this Habeas Corpus Petition is closed accordingly.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Inspector of Police,
P-5, Mahakavi Barathi Nagar Police Station,
Chennai - 600 039.
2. The Joint Secretary to Government,
Public (Law and Order) Department,
Secretariat, Fort St. George,
Chennai 600009.
3. The Public Prosecutor,
High Court of Madras,
Madras.

+1 cc to M/s.A.Arulmozhi, Advocate Sr.No. 70289

AKM/16.09.19/2P-5C /

सत्यमेव जयते

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