



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.05.2019

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HONOURABLE MRS.JUSTICE R.THARANI

H.C.P.(MD)No.399 of 2019

I.Solaiammal

... Petitioner

Vs.

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

2. The Inspector of Police,
Perunali Police Station,
Ramanathapuram District.

3. Madasamy

... Respondents

PRAYER: Habeas Corpus Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus to direct the respondents 1 and 2 to produce the petitioner's minor son, the detenu by name Master Jaishith, aged about 2 ½ years before this Court and hand over to the petitioner.

For Petitioner : Mr.M.Karthikeyavenkitachalapathi
For R1 & R2 : Mr.M.Dinesh Babu
Additional Public Prosecutor

O R D E R

[Order of the Court was made by **G.R.SWAMINATHAN, J.**]

The Habeas Corpus Petition has been filed to issue a Writ of Habeas Corpus to direct the respondents 1 and 2 to produce the petitioner's minor son, the detenu by name Master Jaishith, aged about 2 ½ years before this Court and hand over to the petitioner.

2. The petitioner is the mother of the detenu viz., Jaishith, aged about 2 ½ years. The third respondent is her husband. The relationship between the petitioner and the third respondent had come under strain. It appears that the third respondent had forcibly taken away the child from the hands of the petitioner. Therefore, the Habeas Corpus Petition came to be filed.



3. During the pendency of the Habeas Corpus Petition, the child has been handed over back to the petitioner. There is no appearance today on the part of the third respondent.

4. Recording the subsequent development, the Habeas Corpus Petition stands closed. If the third respondent seeks any custodial rights over the child, it is open to him to move the jurisdictional Civil Court.

Sd/-

Vacation Officer

// True Copy //

Sub Assistant Registrar (CS)

akv

To

1. The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.
2. The Inspector of Police,
Perunali Police Station,
Ramanathapuram District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1CC TO MR.M.KARTHIKEYA VENKITACHALAPATHY,
Advocate Sr. No. 66299

H.C.P. (MD) No.399 of 2019

29.05.2019

SE(CO)

TR (06.06.2019) 2P 5C