



WEB COPY

H.C.P(MD)No.672 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.08.2019

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

AND

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

H.C.P (MD)No.672 of 2019

Chinnamani

... Petitioner/Father or the detenue

Vs.

1.The Superintendent of Police,
Sivagangai.

2.The Inspector of Police,
Sakkottai Police Station,
Sivagangai District.

3.Ramachandran

4.Alamelu

5.Kamaraj

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Habeas Corpus to direct the respondents 1 and 2 herein to produce the detenu, namely, Uma, aged 27 years, daughter of Chinnamani and child, namely, Vishnavi, aged about 6 years, daughter of Uyyanathan, from the illegal custody of the respondents 3 to 6 against their will before this Court and set them at liberty.

For Petitioner : Mr.J.Anandkumar

For Respondents : Mr.K.Dinesh Babu

Additional Public Prosecutor for R.1 & R.2

Mr.N.Saravanan for R.4 & R.5

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O R D E R

(Order of the Court was made by **M. SATHYANARAYANAN, J.**)

The petitioner is the father of the major detenu viz., Uma aged about 27 years and grand-father of the minor detenue viz., Vishnavi, aged about 6 years and alleging their illegal custody at the hands of the third respondent came forward to file this Habeas Corpus Petition.

2.Mr.K.Dinesh Babu, learned Additional Public Prosecutor appearing for the respondents 1 and 2 would submit that with regard

<https://hcservices.courts.gov.in/hcservices/>



to the missing of the detenus a case in Crime No.194 of 2019 for woman and girl missing was registered and both of them have been traced.

3.The major detenie would state that on her own volition she went with the third respondent and now she is willing to go to the parental home along with minor detenie. The petitioner, who is present before this Court, is willing to take the custody of her daughter and minor grand-daughter. The husband of the major detenie and the father of the minor detenie would state that he is working at Singapore and because of the missing of his wife and daughter he has come back and he is willing to take back his wife along with his daughter.

4.In the light of the fact that the detenie Uma is a major and along with her minor daughter she wants to be in the parental home for some time, this Court is inclined to dispose of this Habeas Corpus Petition as follows:

(i) The major detenie expressed her willingness to go to the parental home along with the minor detenie for some time, she is at liberty to so.

(ii) The petitioner being the father of the major detenie and grand-father of the minor detenie is at liberty to take efforts to resolve the matrimonial discard amicably.

5.This Habeas Corpus Petition is disposed of accordingly.

Sd/-

Assistant Registrar (CS III)

// True Copy //

Sub Assistant Registrar(CS)

sj

To

1.The Superintendent of Police,
Sivagangai.

2.The Inspector of Police,
Sakkottai Police Station,
Sivagangai District.

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

+1 CC to M/s.J.ANANDKUMAR, Advocate (SR-81644[F] dated 14/08/2019)

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