



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.10.2019

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

AND

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

H.C.P. (MD)No.1014 of 2019

K.Arichandran

: Petitioner

Vs.

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

2.The Inspector of Police
Chinthamanipatti Police Station
Karur District.

3.Packkiam

4.Meenachi

: Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India praying for the issue of a Writ of Habeas Corpus, to direct respondents 1 and 2 to produce the body of detenu namely, Chinnamanikandan, S/o.Arichandran aged about 8 years from illegal detention of 3rd and 4th respondents and hand over the custody to the petitioner.

For Petitioner

: Mr.S.M.Mohan Gandhi

For Respondents

: Mr.K.Dinesh Babu for R1 & R2
Additional Public Prosecutor

ORDER

S.VAIDYANATHAN, J.

AND

N.ANAND VENKATESH, J.

This petition has been filed to produce the body of the detenu, named Chinnamanikandan, who is aged about 8 years.

2. It is seen from the records that the wife of the petitioner died on 18.09.2011 and from then on, the minor child is in the custody of the third and fourth respondents, who are stated to be the mother-in-law and sister-in-law of the petitioner. The child is taken care by the third and fourth respondents.

3. Heard the learned counsel for the petitioner and the learned



Additional Public Prosecutor appearing on behalf of the respondent police.

4. Taking into consideration the facts and circumstances of the case and the fact that the child has been taken care by the third and fourth respondents for a substantial period of time, this Court is not in a position to give any positive direction in this case. It is left open to the petitioner to work out his remedy before the appropriate Court in accordance with law and seek for the custody of the child.

5. The Habeas Corpus Petition is disposed of with the above directions.

Sd/-

Assistant Registrar (AD II)

// True Copy //

Sub Assistant Registrar(CS)

RR

To

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

2.The Inspector of Police
Chinthamanipatti Police Station
Karur District.

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

+1 CC to M/s.S.M.MOHAN GANDHI, Advocate (SR-91324[F] dated
04/10/2019)

Order made in
H.C.P. (MD)No.1014 of 2019
Dated: 03.10.2019

KK/SAR/17.10.2019/2P-5C/