



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Special Original Jurisdiction)

Thursday, the Seventh day of November Two Thousand and Nineteen

WEB COPY

PRESENT

The Hon'ble Mr Justice S.VAIDYANATHAN

AND

The Hon'ble Mr Justice N.ANAND VENKATESH

HCP(MD) . No.1126 of 2019

(in the matter of YOHITHA D/O VIGNESH KUMAR AGED ABOUT 4 YEARS under Article 226 of the Constitution of India)

V. Susithra, W/o.Vigneshkumar, No.3/664C, Chithambaram Nagar, Sattur, Virudhunagar District.

... Petitioner

Vs

1. The Superintendent of Police,
O/o. The Superintendent of Police, Virudhunagar City.
 2. The Inspector of Police,
Sattur Town Police Station, Sattur, Virudhunagar District.
 3. Jayarathinam.
 4. Vijayakumari
- ... Respondents

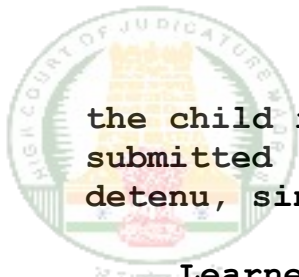
Prayer :-

Habeas Corpus Petition is filed under Article 226 of the Constitution of India, praying this Hon'ble Court to issue a writ of Habeas Corpus or any other appropriate writ a direction in the nature Habeas Corpus directing the 3rd and 4th respondents to produce petitioner's daughter by name Yohitha D/o.Vignesh Kumar, aged about 4 years before this Hon'ble Court and handover her to the petitioner.

ORDER:-

Habeas Corpus Petitions is coming on for hearing on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr. C.M.Arumugam, Advocate for the Petitioner and of Mr. K.Dinesh Babu Additional Public Prosecutor on behalf of the Respondents No.1 and 2 and of Mr.P.Pethu Rajesh, Advocate for the Respondents No.3 and 4, this Court made the following order:

"Learned Counsel for the respondents 3 and 4 submitted that the father of the detenu is living at Chennai along with his parents and



the child is being taken care by him. Therefore, the learned counsel submitted that there is no question of illegal custody of the detenu, since the father is the natural guardian.

Learned counsel for the petitioner is directed to get an affidavit sworn to, by the father of the detenu and the same shall be filed before this Court on 15.11.2019.

The father of the detenu shall also be present before this Court along with the child on 15.11.2019.

Post on 15.11.2019."

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar (CS)

TO

1. The Superintendent of Police,
O/o. The Superintendent of Police, Virudhunagar City.
2. The Inspector of Police,
Sattur Town Police Station, Sattur, Virudhunagar District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Copy to: The Section Officer, Criminal Section,
Madurai Bench of Madras High Court, Madurai
(To List the Case on 15.11.2019)

ORDER DATED : 07/11/2019

HEARING DATED : 15/11/2019

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ORDER
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HCP (MD) . No.1126 of 2019

Giving direction and etc.
as stated within.

NS (CO)
TR (13.11.2019) 2P 5C