



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Special Original Jurisdiction)

Thursday, the Twenty Eighth day of November Two Thousand and
Nineteen

PRESENT

The Hon'ble Mr Justice S.VAIDYANATHAN
AND
The Hon'ble Mr.Justice N.ANAND VENKATESH

HCP(MD) . No.1240 of 2019

Jansirani ...Petitioner/Mother of detenue

Vs

- 1 The Superintendent of Police, Thanjavur District.
- 2 The Superintendent of Police, Pudukkottai District.
- 3 The Inspector of Police, Nachiyarkoil Police Station
Kumbakonam Sub Division, Thanjavur District.
- 4 The Inspector of Police, Vadakadu Police Station,
Karambakudi Taluk, Pudukkottai District.
- 5 Sabarinathan
- 6 Sundar Gurukkal ...Respondents

Prayer :-

Habeas Corpus Petition is filed under Article 226 of the Constitution of India, praying this Hon'ble Court to issue a Writ or Order or Directing the respondents to secure and produce the body of the detenu, the petitioner minor daughter Vernikasri D/o.Jansirani, aged 2 years before this Honorable Court and handed over the custody of the child to the petitioner mother of the detenue.

ORDER:- Habeas Corpus Petition 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.M.Karunanithi, Advocate for the Petitioner and of Mr. K.Dinesh Babu Additional Public Prosecutor on behalf of the Respondents No.1 to 4 and of Mr.S.Sankar, Advocate for the 5th respondent, this Court made the



Pursuant to the orders passed by this Court, Mr.K.Samidurai, Senior Mediator was present before this Court and he has also submitted a mediation report. We have gone through the mediation report and we have also ascertained the facts from the Senior Mediator.

2.Considering the facts and circumstances of the case, we deem it fit to continue the process of mediation for some more time. There seems to be a matrimonial discord between the petitioner and the fifth respondent and that is to be resolved. In the meantime, we want the child to spend time with both the father and mother and it should not be deprived of the love and care of it's parents.

3.As an interim measure, the fifth respondent is directed to take the custody and care of the child and for some time, the sixth respondent shall lay off his hands from this issue. The fifth respondent shall bring the child to the Mediation Centre attached to this Bench as and when directed by the Mediator. The petitioner shall also be present in the Mediation Centre. The Mediator shall ensure that the child spends sufficient time with the mother/petitioner. This arrangement can continue for a period of three weeks.

4. Post this case on 19.12.2019. On that day, the learned Mediator shall file a report before this Court and based on the report further orders will be passed in this petition.

Sd/-

Assistant Registrar

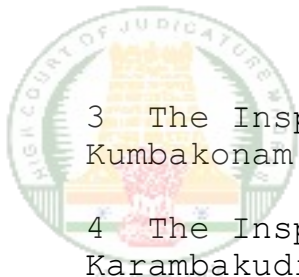
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Sub Assistant Registrar(CS)

TO

1 The Superintendent of Police, Thanjavur District.

2 The Superintendent of Police, Pudukkottai District.



3 The Inspector of Police, Nachiyarkoil Police Station
Kumbakonam Sub Division, Thanjavur District.

4 The Inspector of Police, Vadakadu Police Station,
Karambakudi Taluk, Pudukkottai District.

5 The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai

6 The Officer in Charge, Mediation and Conciliation Centre,
Madurai Bench of Madras High Court, Madurai

Copy to:

1 Mr.K.Samidurai, Advocate (Senior Mediator),
Madurai Bench of Madras High Court, Madurai.

2 The Section Officer, Criminal Section,
Madurai Bench of Madras High Court, Madurai
(To list the cases on 19/12/2019)

ORDER DATED : 28/11/2019

HEARING DATED: 19/12/2019

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ORDER
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HCP(MD) . No.1240 of 2019

Giving direction and etc.
as stated within.

KK/SAR/05.12.2019/3P-9C/