

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.12.2020

Coram

The Hon'ble Mr. Justice M.M.SUNDRESH
and
The Hon'ble Mr. Justice D.KRISHNAKUMAR

H.C.P. No. 1991 of 2020

A.Susmitha

.. Petitioner

Vs.

1.The Home Secretary
Ministry of Home Department
Secretariat,
Chennai - 09.

2.The Superintendent of Police,
Kancheepuram,
Kancheepuram District.

3.The Inspector of Police,
Sunguarchatram Police Station,
Sriperumpudur Taluk,
Kancheepuram District.

4.Lokeshwaran

5.The Inspector of Police,
Thiruvalem Police Station,
Ranipet District.

(R5 suo motu impleaded
as per order dated 19.11.2020)

... Respondents

Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus directing the respondents to produce 4 years minor female baby Dyashri hand over custody of the mother from the 4th respondent.

For Petitioner .. Mr.T.R.Shanmugam

For Respondents .. Mr.R.Prathap Kumar,
Addl. Public Prosecutor
R1 to R3 & R5

ORDER

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

The petitioner is the wife of the fourth respondent. This habeas corpus petition has been filed seeking custody of the detinue, who is a minor child, born out of the wedlock.

2. Today, the petitioner, the detinue/minor child and the fourth respondent are present.

3. The petitioner submitted that she was not given access to the minor child. However, it is submitted by the fourth respondent that the petitioner left the detinue/minor child in lurch for the best reasons known to her.

4. We made the parties to have an interaction with each other. We also find that the detinue/minor child is, at present, is not very comfortable with the petitioner.

5. Inasmuch as this is nothing but an extension of matrimonial discord between the petitioner and the fourth respondent, which created the present scenario, we direct both the parties to appear before the District Mediation Centre, Kancheepuram on 21.12.2020.

6. In view of the above, the habeas corpus petition stands closed as we find no illegal detention involved.

Sd/-

Assistant Registrar(CS)

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Sub Assistant Registrar

ssm

To

1. The Home Secretary
Ministry of Home Department
Secretariat, Chennai - 09.
2. The Superintendent of Police,
Kancheepuram,
Kancheepuram District.
3. The Inspector of Police,
Sunguarchatram Police Station,
Sriperumpudur Taluk,
Kancheepuram District.

4.The Inspector of Police,
Thiruvallam Police Station,
Ranipet District.

5.The Public Prosecutor,
High Court, Madras.

6. The Joint Secretary,
Public (Law & Order) Department,
Frt.St.George, Chennai-9.

7. The District Mediation Centre,
Kancheepuram.

H.C.P. No. 1991 of 2020

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