

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.02.2021

CORAM

THE HONOURABLE MR. JUSTICE P.N.PRAKASH
AND
THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

H.C.P. NO.324 OF 2021

V.R.Rajasekaran

..Petitioner

Vs.

1.State of Tamil Nadu represented by
The Commissioner of Police,
Egmore, Chennai - 600 008.

2.The Inspector of Police,
K-2, Ayyanavaram Police Station,
Chennai - 600 023.

3.R.Kavitha Rani

..Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a writ of Habeas Corpus directing the second respondent to produce the petitioner's minor child V.R.Harini Vidhyadharani, aged about 14 years, before this Court from the custody of the third respondent and hand over to the petitioner.

For Petitioner : Mr.K.Srinivasa Murthy

For Respondents : Mr.R.Prathap Kumar

Additional Public Prosecutor

ORDER

[Order of the Court was made by V.SIVAGNANAM, J.]

This habeas corpus petition has been filed seeking to direct the second respondent to produce the petitioner's minor child V.R.Harini Vidhyadharani, aged about 14 years, before this Court from the custody of the third respondent and hand over to the petitioner.

2. It is the case of the petitioner that his daughter V.R.Harini Vidhyadharani, aged about 14 years, is in the illegal custody of the third respondent and that the police are not taking effective steps to secure her.

3. Heard Mr.K.Srinivasa Murthy, learned counsel for the petitioner and Mr.R.Prathap Kumar, learned Additional Public Prosecutor appearing for the first and second respondents and perused the records.

4. It is seen that pursuant to the order dated 03.09.2014 in O.P.No.334 of 2014 passed by the III Additional Family Court, Chennai, V.R.Harini Vidhyadharani is in the custody of the third respondent, who is none other than the mother of V.R.Harini Vidhyadharani.

5. The learned counsel for the petitioner submitted that the third respondent has taken away V.R.Harini Vidhyadharani from school without the knowledge of the petitioner.

6. This Court contacted the third respondent in Mobile No.8807178937 and the call was attended by the mother of the third respondent, who stated that since V.R.Harini Vidhyadharani was unwell, she was brought home from hostel and that she is continuing with her studies.

In view of the above, we do not find that the child V.R.Harini Vidhyadharani is in the illegal custody of the third respondent for issuance of writ of habeas corpus. Hence, this habeas corpus petition is closed.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

nsd

To

1.The Commissioner of Police,
Egmore, Chennai - 600 008.

2.The Inspector of Police,
K-2, Ayyanavaram Police Station,
Chennai - 600 023.

3.The Public Prosecutor,
Madras High Court,
Chennai - 600 104.

+1cc to M/s.Row & Reddy, Advocate, SR.No.12396

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VSN II(CO)
KKV/19/03/2021