

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.02.2021

CORAM

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

H.C.P.No.392 of 2020

1.R.Kadhirvel

2.Sulochana

.. Petitioner

Vs.

1.The Superintendent of Police,
Salem District.

2.The Deputy Superintendent of Police,
Omalur, Salem District.

3.The Inspector of Police,
Dharamangalam Police Station,
Omalur Taluk, Salem District.

4.The Sub-Inspector of Police,
Tholasmampatti Police Station,
Salem District.

5.M.Sangeethapriya

.. Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a writ of Habeas Corpus to direct the respondents 1 to 4 to produce the petitioner's grandson by name B.Monish, aged about 7 years, from the custody of the 5th respondent and produce before this Court.

For Petitioner : Mr.J.Hariharan

For Respondent : Mr.R.Prathap Kumar,
Addl. Public Prosecutor

ORDER

[Order of the Court was made by P.N.PRAKASH, J.]

The habeas corpus petition has been filed seeking to direct the respondents 1 to 4 to produce the petitioners' grandson by name B.Monish, aged about 7 years, from the custody of the 5th respondent and produce before this Court.

2. It is the case of the petitioners that their grandson Monish, S/o.Late Balamurugan, aged about 7 years, is in illegal custody of the 5th respondent herein.

3. It is seen that Monish was produced before this Court on 13.03.2020. The petitioners' son Balamurugan died in an accident and therefore, Monish is living with his mother, who is the 5th respondent herein.

4. In our opinion, it cannot be stated that Monish is in the illegal custody of his mother.

Recording the same, this habeas corpus petition is closed with liberty to the petitioners to work out their remedy in the manner known to law.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

nsd

To

- 1.The Superintendent of Police,
Salem District.
- 2.The Deputy Superintendent of Police,
Omalur, Salem District.
- 3.The Inspector of Police,
Dharamangalam Police Station,
Omalur Taluk, Salem District.
- 4.The Sub-Inspector of Police,
Tholasmampatti Police Station,
Salem District.
Ranipettai District.

5.The Public Prosecutor,
High Court, Madras.

+lcc to M/s.K.V.Law firm J.Hariharan, Advocate SR.6374

H.C.P. No.392 of 2020

SRA (CO)
CB(04/03/2021)



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