



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.10.2021

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH
AND
THE HONOURABLE MRS.JUSTICE S.SRIMATHY

H.C.P.NO.1519 OF 2021

J.Dinesh Kumar
S/o.Jayaprakash

... Petitioner

.Vs.

1. The State of Tamil Nadu,
Represented by
The Superintendent of Police,
Office of the Superintendent of Police,
Coimbatore District.
2. The Deputy Superintendent of Police,
Pollachi Sub Division,
Coimbatore District.
3. The Inspector of Police,
C1 Town Police Station,
Pollachi Sub Division,
Coimbatore District.

4. Bala Mahalakshmi @ Pavithra

... Respondents

PRAYER:-

Habeas Corpus Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus seeking a direction to the third respondent to produce the petitioner's minor daughter 'Srinika', aged about 4 years, before this Court from the custody of the fourth respondent and hand over to the petitioner.

For Petitioner : No appearance

For Respondents : Mr.R.Muniyapparaj
Additional Public Prosecutor



ORDER

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

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This petition has been filed seeking a direction to the third respondent to produce the petitioner's minor daughter 'Srinika', aged about 4 years, before this Court from the custody of the fourth respondent and hand over to the petitioner.

2. There is no representation for the petitioner.

3. Today, Mr.Thirumalaisamy, Sub-Inspector of Police, C1 Town Police Station, Pollachi Sub Division, appeared via video conferencing. The police produced Mrs.Bala Mahalakshmi @ Pavithra (fourth respondent) with the child Srinika via video conferencing from C1 Town Police Station.

4. It is the case of the petitioner that he got married to the fourth respondent on 01.11.2015 and through the wedlock, he was blessed with a daughter viz., Srinika, whose, according to the petitioner, whereabouts are not known. Therefore, the petitioner has filed the present petition.

5. When enquired by us, Mrs.Bala Mahalakshmi @ Pavithra (fourth respondent) stated that the child is very much with her and she is staying with her parents in Teachers Colony, M.G.Nagar, Suleswaranpatty, Pollachi - 624 001 and that her mobile number is 98422 74621. From the above, it is clear that the child is with its mother (fourth respondent) and it cannot be stated that she is in illegal custody for issuance of a Writ of Habeas Corpus.

Accordingly, this Habeas Corpus Petition is closed.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

gm

To

1. The Superintendent of Police,
Office of the Superintendent of Police,
Coimbatore District.



2. The Deputy Superintendent of Police,
Pollachi Sub Division,
Coimbatore District.

3. The Inspector of Police,
C1 Town Police Station,
Pollachi Sub Division,
Coimbatore District.

4. The Public Prosecutor,
High Court, Madras.

H.C.P.NO.1519 OF 2021

SPD(CO)
PBS/09/11/2021