



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.09.2021

Coram

THE HONOURABLE MR. JUSTICE P.N.PRAKASH
and
THE HONOURABLE MS. JUSTICE R.N.MANJULA

H.C.P.No.1493 of 2021

N.Vidya

W/o.Naresh Kumar

.. Petitioner

Vs.

1.The Deputy Commissioner of Police,
Office of the Dy.Commissioner of Police,
St.Thomas Mount, Chennai - 600 016.

2.The Inspector of Police,
All Women Police Station,
Tambaram, Chennai - 600 045.

3.Naresh Kumar
S/o.Ravishankar

.. Respondents

Habeas Corpus Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus directing respondents 1 and 2 to produce her minor daughters viz., Sanjana, aged about 10 years and Ranjana, aged about 8 years, who are under the illegal confinement of the third respondent herein before this Court and set them at liberty.

For Petitioner : Mr.V.Parthiban

For Respondents : Mr.R.Muniyapparaj
Additional Public Prosecutor



ORDER

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

WEB COPY This petition has been filed seeking a directing to the respondents 1 and 2 to produce her minor daughters viz., Sanjana, aged about 10 years and Ranjana, aged about 8 years, who are under the illegal confinement of the third respondent herein before this Court and set them at liberty.

2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor appearing for the State.

3. It is the case of the petitioner that her two daughters viz., Sanjana, aged about 10 years and Ranjana, aged about 8 years, are in the illegal custody of her husband.

4. In our considered opinion, the custody of the two children with their father is not illegal per se for issuance of a Writ of Habeas Corpus.

Accordingly, the Habeas Corpus Petition is closed with liberty to the petitioner to approach the appropriate Court for guardianship and custody in accordance with law.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar

gm

To

1. The Deputy Commissioner of Police,
Office of the Dy. Commissioner of Police,
St. Thomas Mount, Chennai - 600 016.

2. The Inspector of Police,
All Women Police Station,
Tambaram, Chennai - 600 045.

3. The Public Prosecutor, High Court, Madras.

H.C.P.No.1493 of 2021

BS(CO)

B.VC (22/10/2021)