



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.11.2021

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH
AND
THE HONOURABLE MRS.JUSTICE R.HEMALATHA

H.C.P.No.1678 of 2021

Keerthana Balagopal
W/o.P.Madhusudhan Reddy

...Petitioner

Vs.

1. The State
rep. by Commissioner of Police,
Greater Chennai,
No.132, E.V.K.Sampath Road, Vepery,
Chennai - 600 007.

2. The Inspector of Police,
T-14, Mangadu Police Station,
Chennai - 600 122.

3. P.Madhusudhan Reddy
S/o.Peddasommapagaru Raja Gopal Reddy

...Respondents

Habeas Corpus Petition filed under Article 226 of the Constitution of India, praying to issue a WRIT OF HABEAS CORPUS directing the respondents 1 & 2 herein to produce the petitioner's daughter Ishanvi Reddy alias Ishu, aged about 4 years, minor child before this Court from the custody of the third respondent and to handover the custody of her minor daughter to the petitioner.

For Petitioner : Mr.R.Subramoniam

For Respondents : Mr.R.Muniyapparaj,
Additional Public Prosecutor[R1 & R2]

O R D E R

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

This Habeas Corpus Petition has been filed to direct the respondents 1 & 2 herein to produce the petitioner's daughter Ishanvi Reddy alias Ishu, aged about 4 years, before this Court from the custody of the third respondent and to handover the custody of the child to the petitioner.



3. It is the case of the petitioner that she got married to the third respondent on 09.07.2014 in Thrissur District, Kerala and through the wedlock, she has a child Ishanvi Reddy, who was born on 16.10.2017 and at present, she is 4 years old. The petitioner and the third respondent were residing at Plot Nos.26 & 27, Flat No.S-3, VGN Krona, Bharathi Nagar, Gerugambakkam, Chennai - 600 122.

5. On receipt of notice from this Court, the third respondent appeared in person on 09.11.2021 and on that date, we passed the following order :

2. On enquiry, the third respondent stated that the child Ishanvi Reddy, aged about 4 years, is with him in Duddekunta Village, Cuddapah District, Andhra Pradesh.

Post on 15.11.2021.'

7. It appears that the third respondent has initiated divorce proceedings in O.P.No.142 of 2021 on the file of Sub Court, Kancheepuram, against the petitioner, in which, the petitioner has also entered appearance. The third respondent stated that since he was not able to have a happy relationship with the petitioner, he went to his native place at Cuddapah, from where he is doing his office work. It is the apprehension of the third respondent that the petitioner may take away the



child to Muscat where the parents of the petitioner are residing.

8. When we enquired, the petitioner stated that she does not have any idea, at present, to go to Muscat as she is gainfully employed at Chennai.

9. Be that as it may, if the petitioner wants to go to Muscat, she should inform the third respondent. Since the dispute between the parties are pending in the divorce proceedings, we are not passing any further orders in the present petition. Now, the custody of the child has been handed over to the petitioner and hence, nothing further remains in the present petition.

Accordingly, this Habeas Corpus Petition is closed with liberty to the parties to work out their remedies before the appropriate Court.

Sd/-
Assistant Registrar(CS-II)

//True Copy//

Sub Assistant Registrar

gm/mtl

To

1. The Commissioner of Police,
Greater Chennai,
No.132, E.V.K.Sampath Road, Vepery,
Chennai - 600 007.

2. The Inspector of Police,
T-14, Mangadu Police Station,
Chennai - 600 122.

3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.R.Subramoniam, Advocate, S.R.No.58774

H.C.P.No.1678 of 2021

PCH(CO)
RGA(01/12/2021)