

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.01.2021

Coram

The Hon'ble Mr. Justice P.N.PRAKASH
and

The Hon'ble Mr. Justice V.SIVAGNANAM

H.C.P. No. 2559 of 2020

E.F.Daniel Yacob

.. Petitioner

Vs.

1.The Commissioner of Police,
The Office of the Commissioner of Police,
Vepery, Chennai - 600 007.

2.The Inspector of Police,
J2 - Adayar Police Station,
L.B.Road, Adayar,
Chennai - 600 020.

3.Noora Ariff Sultan

.. Respondents

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 the petitioner's minor daughter, namely, Nadya Daniel Yacob, aged 4 ½ years before this Court from the custody of the third respondent and handover her custody to the petitioner.

For Petitioner: Ms.K.Sridevi

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

ORDER

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

This habeas corpus petition has been filed seeking to direct the respondents 1 and 2 to produce the petitioner's minor daughter, namely, Nadya Daniel Yacob, aged 4 ½ years before this Court from the custody of the third respondent and handover her custody to the petitioner.

2. Today Mrs.U.Rajeswari (Mobile No.9498133124), Women Head Constable-25151, J2 - Adayar Police Station, L.B.Road, Adayar, Chennai - 600 020, is present. Heard Ms.K.Sridevi, learned counsel for the petitioner and Mr.R.Prathap Kumar, learned Additional Public Prosecutor appearing for the first the second respondents.

3. The dispute is essentially between the spouses with regard to the custody of four year old girl.

4. The learned counsel for the petitioner submitted that the petitioner has not seen his daughter for the last one year and he does not even know, whether his daughter is in India or abroad.

5. On instructions, learned Additional Public Prosecutor submitted that the petitioner's daughter is very much available with her mother at Plot No.115, 24/375, Avvai Shanmugam Salai, Triplicane, Chennai - 600 005.

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

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

mmi/nsd
To

1.The Commissioner of Police,
The Office of the Commissioner of Police,
Vepery, Chennai - 600 007.

2.The Inspector of Police,
J2 - Adayar Police Station,
L.B.Road, Adayar,
Chennai - 600 020.

3.The Public Prosecutor,
High Court, Madras.

H.C.P. No. 2559 of 2020

RGN(CO)
SP(27/01/2021)