



WEB COPY

H.C.P.(MD) No.165 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.02.2021

CORAM:

**THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM
and**

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

H.C.P. (MD) No.165 of 2021

Minor S.E.Yashvanth Sinha
S/o. D.Simon
No.4/17/G-2, Erumbukadu,
Neendakarai West Village,
Agasteeswaram Taluk, Kanyakumari District
rep. By grandmother and guardian
T.Amma Pazham

... Petitioner

-vs-

1.The Deputy Inspector General of Police,
Tirunelveli Region, Tirunelveli.

2.The Superintendent of Police,
Kanyakumari District.

3.The Inspector of Police,
Rajakkamangalam Police Station,
Agasteeswaram Taluk,
Kanyakumari District.

4.Dr.D.Simon

5.T.Kannan

6.P.Kannan

7.P.Karnan

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus directing the respondents 1 to 3 herein to produce the body and person of minor petitioner's mother Tmt.P.Esothakumari, W/o D.Simon, aged about 40 years from the illegal custody of the respondents 4 to 7 herein before this Court and set her at liberty.

For Petitioner : Mr.M.Sengu Vijay

For Respondents : Mr.K.Dinesh Babu

Additional Public Prosecutor (for R1 to R3)



O R D E R

[Order of the Court was made by K.KALYANASUNDARAM, J.]

This habeas corpus petition has been filed by the son of the detenu, namely, P.Esothakumari, W/o D.Simon, aged about 40 years for her production before this Court and set her at liberty.

2.It is alleged by the petitioner that her mother, the detenu herein is illegally detained by his father, the fourth respondent herein.

3.When the matter was taken up for hearing on 18.02.2021, the fourth respondent as well as the detenu appeared through video conferencing.

4.It appears that the detenu is suffering from some nureo problem. When enquired, she said that she is fine and not detained illegally by her husband. The fourth respondent agreed to take the detenu to the house of the petitioner. Today, it is represented that the detenu visited the house of the petitioner on 21.12.2020, which shows that the detenu is not illegally kept by the fourth respondent, her husband.

5.In the light of the above facts, we find no merit in the habeas corpus petition. The learned counsel appearing for the petitioner seeks permission to approach the civil court for redressal of the grievances of the petitioner. Granting such liberty, this habeas corpus petition is closed.

Sd/-

Assistant Registrar(RTI)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

skn

Note :

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.



To

1.The Deputy Inspector General of Police,
Tirunelveli Region,
Tirunelveli.

2.The Superintendent of Police,
Kanyakumari District.

3.The Inspector of Police,
Rajakkamangalam Police Station,
Agasteeswaram Taluk,
Kanyakumari District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.M.SENGU VIJAY, Advocate (SR-6734[F] dated 23/02/2021
)

H.C.P. (MD) No.165 of 2021
22.02.2021

SSS(CO)

TR(08.03.2021) 3P 6C