



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.04.2021

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

and

THE HONOURABLE MRS.JUSTICE S.ANANTHI

H.C.P[MD]No.645 of 2021

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Periyamari : Petitioner/Foster mother of the detenu
Vs.

1.The Commissioner of Police,
Madurai City,
Madurai.

2.The Inspector of Police,
Tallakulam Police Station,
Madurai.

3.Balamurugan : Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Habeas Corpus, to direct the respondents to secure and produce the body or person of the petitioner's adopted daughter namely Ananthajothi W/o.Balamurugan, aged about 26 years and produce before this Court and set her at liberty.

For Petitioner	: Mr.P.Saravanan
For Respondents 1&2	: Mr.S.Chandrasekar
	Additional Public Prosecutor

O R D E R

[Order of the Court was made by **T.S.SIVAGNANAM, J.**]

We have heard Mr.P.Saravanan, learned Counsel appearing for the petitioner and Mr.S.Chandrasekar, learned Additional Public Prosecutor, appearing for the respondents 1 & 2.

2.The petitioner claiming to be a foster mother of the detenu aged about 26 years who was married to the third respondent has filed this Habeas Corpus Petition, alleging that the third respondent has kept the detenu under his illegal custody.

3.The learned Additional Public Prosecutor appearing for the respondent police submitted that the Deputy Superintendent of Police, Othakadai Police Station conducted an enquiry. The petitioner, the third respondent and the detenu along with the child have appeared and the child has been handed over to the third respondent and the detenu has left. There is a matrimonial dispute between the detenu and the third respondent.



4. Such an issue cannot be sorted over in a Habeas Corpus Petition. Accordingly, the Habeas Corpus Petition stands closed.

Sd/-

Assistant Registrar (AE)

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/ /2021

Sub Assistant Registrar(CS)

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 Commissioner of Police,
Madurai City,
Madurai.
2. The Inspector of Police,
Tallakulam Police Station,
Madurai.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

H.C.P. [MD] No. 645 of 2021
27.04.2021

ARK (CO)
KB (11.05.2021) 2P 4C