



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.06.2021

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM
and
THE HONOURABLE MR.JUSTICE B.PUGALENDHI

H.C.P. (MD) No.728 of 2021

Ramesh ... Petitioner/Father of the detenu

-vs-

1.The Superintendent of Police,
Thoothukudi District,
Thoothukudi.

2.The Inspector of Police,
Sathankulam Police Station,
Thoothukudi District.

3.Chithiraikumar ... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of Habeas Corpus directing the second respondent to produce the Petitioner's son Deepatharshan, aged 3 ½ years in body or person before this Court and hand over the custody to the Petitioner.

For Petitioner : Mr.V.Rajiv Rufus

For Respondents : Mr.S.Ravi
1 and 2 Standing Counsel for the State Government

For Respondent-3: Mr.A.Mohan

O R D E R

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

This Habeas Corpus Petition has been filed seeking for a direction to the second respondent to produce the Petitioner's son namely, Deepatharshan, aged about 3 ½ years before this Court and hand over the custody to the petitioner.

2.Heard the learned counsel appearing on either side and
perused the materials placed before this court.



3.The Petitioner is the father of the detenu namely, Deepatharshan, aged about 3 ½ years. It is represented that he is now under the care and custody of the third respondent, who is the grand-father of the detenu.

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4.It appears that the mother of the detenu passed away and thereafter, the child is with his grand-father. When this Court expressed its opinion that an effective remedy is available before the Civil Court, the learned counsel for the Petitioner would state that the Petitioner is ready to approach the competent Civil Court for appropriate relief.

5.In the light of the above statement made by the learned counsel for the Petitioner, this Habeas Corpus Petition is closed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

vsn

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 Superintendent of Police,
Thoothukudi District,
Thoothukudi.

<https://hcservices.ecourts.gov.in/hcservices/>



2.The Inspector of Police,
Sathankulam Police Station,
Thoothukudi District.

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

ORDER MADE IN
H.C.P. (MD) No.728 of 2021
14.06.2021

KM(29.06.2021) 3P 4C