



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :06.08.2021

CORAM:

THE HONOURABLE MR.JUSTICE V. BHARATHIDASAN

and

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

H.C.P. (MD) No.1053 of 2021

WEB COPY

M.Ayisha Jerine

... Petitioner/Mother of the detenu

-vs-

- 1.The Inspector General of Police,
Tiruchirapalli Zone,
Tiruchirapalli.
- 2.The Superintendent of Police,
Tiruchirapalli District,
Tiruchirapalli.
- 3.The Deputy Superintendent of Police,
Musiri,
Tiruchirapalli District.
- 4.The Inspector of Police,
Thuraiyur Police Station,
Thuraiyur,
Trichy District.
- 5.The Sub Inspector of Police,
Uppiliyapuram,
Trichy District.
- 6.The Child Welfare Committee,
Trichy District,
Office at near Kalaiaranga Theatre,
Central Bus Stand,
Tiruchirapalli.
- 7.M.Manikandan
- 8.Malaiyappan
- 9.M.Kalaivani
- 10.Kavitha

... Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Habeas Corpus directing the respondents to produce the body or person of the detenu namely M.Aneesh, S/o. M.Ayisha Jerine, aged about 9 years, before this Court and hand over the custody to the petitioner.

For Petitioner

: M/s. T.Banumathy

For R1 to R5

: Mr.S.Ravi

Standing counsel for the State



O R D E R

(Order of the Court was made by V.BHARATHIDASAN, J.)

This Habeas Corpus Petition has been filed for a direction to the respondents 1 to 5, to secure the petitioner's son namely M.Aneesh, aged about 9 years, before this Court and hand over the custody to the petitioner.

2.Heard the learned counsel for the petitioner and the learned Standing counsel appearing for the respondents 1 to 6 and perused the materials available on record.

3.From the perusal of the records, it is seen that there was a family dispute between the petitioner and the 7th respondent and the detenu is the minor boy and now he is under the custody of the 7th respondent, who is none other than the husband of the petitioner.

4.Considering the above facts, we find that there is no illegal detention as alleged by the petitioner. Hence, the Habeas Corpus Petition is dismissed. However, with regard to seeking the custody of the minor boy, it is always open to the petitioner to approach the concerned civil Court.

Sd/-

Assistant Registrar (T & P)

// True Copy //

/ /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 Inspector General of Police,
Tiruchirapalli Zone,
Tiruchirapalli.
- 2.The Superintendent of Police,
Tiruchirapalli District,
Tiruchirapalli.
- 3.The Deputy Superintendent of Police,
Musiri,
Tiruchirapalli District.

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



4.The Inspector of Police,
Thuraiyur Police Station,
Thuraiyur,
Trichy District.

5.The Sub Inspector of Police,
Uppiliyapuram,
Trichy District.

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

H.C.P. (MD) No.1053 of 2021
06.08.2021

SGS

RS (13.08.2021) 3P-7C