



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.08.2021

CORAM:

THE HONOURABLE MR.JUSTICE V. BHARATHIDASAN

and

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

H.C.P. (MD) .No.1214 of 2021

WEB COPY

M.Nagarajan

... Petitioner

-vs-

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

2. The Inspector of Police,
Nilakkottai,
Dindigul District.

3. Tamilarasi

4. Lakshmi

... 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 No.1 & 2 to produce body or person of the petitioner's children the detinue namely Jegadeep, Son of Nagarajan and Gobigasri, Daughter of Nagarajan aged about 6 and 3 years respectively under the illegal custody of the fourth respondent, before this Court and hand over the custody to the petitioner.

For Petitioner : Mr.S.Alagarsamy

For R-1 & R-2 : Mr.S.Ravi
Standing counsel for the State

O R D E R

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

Alleging that the petitioner's minor children namely Jegadeep, Son of Nagarajan and Gobigasri, Daughter of Nagarajan aged about 6 and 3 years respectively are under the illegal custody of the fourth respondent, the present Habeas Corpus Petition has been filed.

2. When the matter is taken up for hearing today, Mr.S.Ravi, learned Standing counsel appearing for the State, on instructions would submit that the fourth respondent is none other than the wife of the petitioner and there is no illegal custody as alleged by the petitioner.



3.Considering the fact that now the children are only with their mother, it cannot be treated as illegal custody. If at all the petitioner wants the custody of the minor child, it is always open to him to approach the competent Civil Court seeking custody in the manner known to law.

4.With the above observations, the Habeas Corpus Petition is dismissed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

pm

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,
Dindigul District,
Dindigul.
- 2.The Inspector of Police,
Nilakkottai,
Dindigul District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

H.C.P. (MD) No.1214 of 2021

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RK (07.09.2021) 2P 4C