



H.C.P.No.1105 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.07.2022

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THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN
AND
THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

H.C.P.No.1105 of 2022

Vayeetha Banu

.. Petitioner

Vs.

1.The Commissioner of Police,
The Commissioner office,
Coimbatore.

2. The Commissioner of Police,
The Commissioner office,
Salem.

3.The State rep by
Inspector of Police,
Peelamedu Police Station,
Coimbatore City,
Coimbatore District.

4.The State rep by
Inspector of Police,
Alagapuram Police Station,
Salem District.

5.M.Abdul Rahman

.. Respondents



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Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus to direct the 1 to 4 respondent to produce the detainee minor Muhammed Fowzan Aadhi s/o.Vayeetha Banu aged about 4 year before this Court and restore him to the custody of petitioner.

For Petitioner : Mr.K.Sudhakar

For respondents : Mr.M.Babumuthumeeran,
Addl. Public Prosecutor

ORDER

S. VAIDYANATHAN, J.
AND
A.D. JAGADISH CHANDIRA, J.

This petition has been filed by the petitioner/mother of the detainee seeking to produce her minor son/Fowzan Aadhi s/o.Vayeetha Banu who is alleged to be in custody of the 5th respondent.

2. When the matter is taken up today, Mr.K.Sudhakar, learned counsel appearing for the petitioner would submit that the petitioner had given a complaint against her husband/5th respondent for taking custody of the minor son from her custody and refusing to give it back. However, he would submit that during the pendency of the present petition, Qula @



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Divorce Agreement had been entered into between the parties before the Salem District Kazi. In the said agreement the petitioner has also agreed to hand over the custody of the child to her husband/5th respondent and he has produced the copy of the Qula @ Divorce agreement and Divorce certificate issued by the Government Kazi, Salem District.

3. Recording the same, the Habeas Corpus petition is Closed.

(S.V.N., J.) (A.D.J.C., J.)
06.07.2022

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To

1. The Commissioner of Police,
The Commissioner office, Coimbatore.

2. The Commissioner of Police,
The Commissioner office, Salem.

3. The State rep by
Inspector of Police,
Peelamedu Police Station,
Coimbatore City, Coimbatore District.

4. The State rep by
Inspector of Police,
Alagapuram Police Station, Salem District.

5. The Public Prosecutor,
High Court, Madras.

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