



H.C.P.No.2249 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.11.2022

Coram

The Honourable Mr. Justice **P.N.PRAKASH**
and
The Honourable Mr. Justice **RMT.TEEKAA RAMAN**

H.C.P.No.2249 of 2022

Balaraman

.. Petitioner

Vs

1. The Superintendent of Police,
Thiruvannamalai District.

2. The Inspector of Police,
Polur Police Station,
Thiruvannamalai District.

.. Respondents

Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus directing the respondents herein to produce the petitioner's grandson, Bharath, aged about 7 years by person or body before this Court and hand over to the petitioner.

For Petitioner : Mr.S.Silambuselvan

For Respondents : Mr.R.Muniyapparaj
Addl. Public Prosecutor



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ORDER

(Made by *P.N.PRAKASH, J.*)

This habeas corpus petition has been filed by the petitioner seeking a direction to the respondents herein to produce his grandson *viz.* Bharath, aged about 7 years, before this Court and hand over to him.

2. Today, K.Selvaraj [Mobile No.9498150649], Special Sub Inspector of Police, Polur Police Station, Thiruvannamalai District, is present.

3. It is the case of the petitioner that his son Venkatesan married Suganthi on 18.01.2013 and through the wedlock, he had a son *viz.*, Bharath, who is now 7 years old. Venkatesan died on 20.11.2015, after which, Bharath was being brought up by Suganthi.

4. It is the allegation of the petitioner that for a long time, the petitioner was permitting access to Bharath, but suddenly that has been stopped by Suganthi and the whereabouts of Bharath are not known.



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5. Under normal circumstances, we would not have entertained this Habeas Corpus Petition, instead, we would have directed the petitioner to approach the Court concerned under the Guardians and Wards Act, 1890. However, since the petitioner is complaining that the very whereabouts of the child are not known, we direct the second respondent/police to produce Suganthi and child Bharath before the Secretary, District Legal Services Authority, ADR Building, District Court Campus, Vengikkal, Thiruvannamalai District, at 10.30 a.m. on 22.11.2022. The petitioner shall also be present there on that day (22.11.2022). However, the custody of the child cannot be handed over to the petitioner and petitioner shall be informed about the address and whereabouts of Suganthi and child [Bharath]. Thereafter, it is for the petitioner to work out his remedy in the manner known to law, if so advised.

With the above directions, this habeas corpus petition stands closed.

(P.N.P., J.) (TKRJ)
10.11.2022

ars/nsd



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P.N.PRAKASH, J.
and
RMT.TEEKAA RAMAN, J.

nsd

To

1. The Chairman, District Legal Services Authority,
ADR Building, District Court Campus,
Vengikkal, Thiruvannamalai District.
2. The Principal District Judge,
Thiruvannamalai.
3. The Superintendent of Police,
Thiruvannamalai District.
4. The Inspector of Police,
Polur Police Station,
Thiruvannamalai District.
5. The Public Prosecutor,
Madras High Court.

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