



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.04.2022

CORAM :

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

and

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

H.C.P (MD)No.474 of 2022

WEB COPY

K.G.Revathi

... Petitioner/
Mother of the Detenue

vs.

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

2.The Inspector of Police,
District Crime Branch,
Land Grabbing Special Wing,
Pudukkottai.
(Crime No.19 of 2021)

3.S.Murugan

... Respondents

Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, directing the respondents 1 and 2 to produce body or person of detenue / Petitioner's 'minor son' namely, ''Salai Aswath'' Son of Salai Gnanadasan aged about 8 years, before this Court and hand over custody to the petitioner.

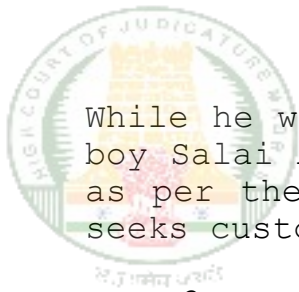
For Petitioner	: Mr.N.Mohideen Basha for Mr.V.Raja Mohan
For R1 & R2	: Mr.A.Thiruvadi Kumar Additional Public Prosecutor
For R3	: Mr.R.Jegadeeswaran

ORDER

R.SUBRAMANIAN, J.
AND
N.SATHISH KUMAR, J.

The petitioner seeks production of her minor child Salai Aswath aged about 8 years.

2. It is the admitted case of the parties that the petitioner and her husband Salai Gnanadasan are living apart. Their two sons are living with each of them as per the agreement between them. While things stood thus, the father of the minor boy namely, Salai Gnanadasan, was arrested in relation to a family property dispute.



While he was remanded to judicial custody, the custody of the minor boy Salai Aswath was handed over by the Police to the 3rd respondent as per the wishes of the father of the minor boy. The mother now seeks custody of the boy.

3. Upon notice, the 3rd respondent has produced the minor boy. We had interacted with him. The other brother and the mother of the minor boy are also present.

4. Though the minor boy initially expressed disinclination to go with his mother, he later agreed to go with the mother. After having spent sometime with the mother and the brother and after having Lunch with them, the boy has expressed his willingness to be with his mother till his father is released.

5. In view of the above, the Habeas Corpus Petition is closed and the custody of the minor boy Salai Aswath, will be with his mother till his father is released.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

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

2.The Inspector of Police,
District Crime Branch,
Land Grabbing Special Wing,
Pudukkottai.

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

+1 CC to M/s.R. JEGADEESWARAN, Advocate (SR-16932[F] dated 06/04/2022)

H.C.P(MD)No.474 of 2022

DATED : 06.04.2022

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