



H.C.P.(MD)No.1003 of 2022

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.07.2022

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

and

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

H.C.P.(MD)No.1003 of 2022

Nalini

: Petitioner

Vs.

1.The Superintendent of Police,
Sivagangai Police,
Sivagangai.

2.The Inspector of Police,
Singampunari Police Station,
Sivagangai.

3.Manoharan

: Respondents

[R3 suo motu impleaded vide order dated 24.06.2022]

PRAYER: Habeas Corpus Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Habeas Corpus, directing the respondents to produce the body or person of the



H.C.P.(MD)No.1003 of 2022

detenu by name Jayeshree (aged about 2 years & 11 months old)

D/o.Arun Kumar to this Court and set her at liberty.

For Petitioner : Mr.B.Sargunam

For Respondents 1&2 : Mr.T.Senthil Kumar

Additional Public Prosecutor

For Respondent No.3 : Mr.A.Balakrishnan

ORDER

[Order of the Court was made by **P.N.PRAKASH, J.**]

On 24.06.2022, we passed the following order:

'It is the case of the petitioner that she was married to one Arun Kumar in November, 2017 and through the wedlock, she has a child, Jeyashree, which is now 2 years and 11 months old. According to the petitioner, her husband deserted her and after that she has been living as a single mother with her daughter.

2.It is the further case of the petitioner that her father Manoharan is working as an Inspector of Police, Traffic Investigation in Singampunari Police Station and that he is forcing her to marry a person of his choice which is not to her liking. Therefore, the petitioner's parents have snatched her child and are not even permitting her to see the child.



WEB COPY



H.C.P.(MD)No.1003 of 2022

3.Today, Mr.Vellaichamy, Special Sub-Inspector of Police, Singampunari Police Station, Sivagangai District, is present before this Court.

4.Since the petitioner has not impleaded her father Manoharan, S/o.Sangampillai as respondent, we are suo motu impleading him as third respondent. We direct the second respondent police to hand over the child to the petitioner and report to this Court on the next hearing date.

*5.Registry is directed to carry out the necessary amendment in the cause title and list the matter for hearing on **01.07.2022.**'*

2.Today, Mr.K.Guhan [Mobile No.: 8012606936], Sub-Inspector of Police, Singampunari Police Station, Sivagangai District, the petitioner along with the child Jeyashree and Manoharan [third respondent herein] are present.

3.The petitioner stated that pursuant to the order dated 24.06.2022, the custody of Jeyashree has been handed over to her.



H.C.P.(MD)No.1003 of 2022

WEB COPY

4.Recording the same, this Habeas Corpus Petition is closed, with liberty to the parties to work out their remedies in the manner known to law.

[P.N.P.J.] & [R.V.J.]

01.07.2022

Index : Yes/No

Internet : Yes/No

MR

To

1.The Superintendent of Police,
Sivagangai Police,
Sivagangai.

2.The Inspector of Police,
Singampunari Police Station,
Sivagangai.

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



WEB COPY



H.C.P.(MD)No.1003 of 2022

P.N.PRAKASH, J.
and
R.VIJAYAKUMAR, J.

MR

ORDER MADE IN
H.C.P.(MD)No.1003 of 2022

01.07.2022