



H.C.P.No.264 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.02.2023

CORAM
THE HONOURABLE MR.JUSTICE M.SUNDAR

and

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

H.C.P.No.264 of 2023

N.Chandra
W/o.Nambiraj

.. Petitioner

Vs.

1. The Superintendent of Police
Thiruvallur District
Thiruvallur

2. The Deputy Superintendent of Police
Thiruvallur District
Thiruvallur

3. The State represented by
Inspector of Police
Mappedu Police Station
Thiruvallur District

4. The Child Welfare Home
T.Nagar
Chennai

.. Respondents

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Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of habeas corpus directing the second respondent to produce the petitioner male baby (9 months) was born on 05.05.2022 before this Court from the custody of the 4th respondent and hand over to the petitioner.

For Petitioner : Mr.R.Raja Durai

For Respondents : Mr.R.Muniyapparaj
Additional Public Prosecutor

ORDER

[Order of the Court was made by M.SUNDAR.J.,]

Captioned 'Habeas Corpus Petition' ['HCP' for the sake of brevity] has been filed saying that the petitioner's child was sent to Child Welfare Home, T.Nagar (fourth respondent) on what according to the petitioner is a false allegation that he tried to sell the baby. We do not propose to delve into the matter any further as petitioner has already moved this Court vide Crl.O.P.No.13283 of 2022 and another Hon'ble single Judge of this Court has made an order dated 24.06.2022 *inter alia* giving a direction to hand over the child to the petitioner.

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2. Mr.R.Muniyapparaj, learned Additional Public Prosecutor who accepted notice for Respondents submits that order copy may not have been communicated and they may do the needful but in any event we neither express any opinion nor intend to delve into the matter as another Hon'ble single Judge has examined the matter and passed an order. If there is any complaint of non-compliance, it is open to the petitioner to take recourse to law. All the rights and contentions of the petitioner in this regard are preserved.

Owing to the narrative thus far, captioned HCP is disposed of as closed preserving rights of the petitioner in the aforesaid manner.

(M.S.,J.)

(M.N.K.,J.)

21.02.2023

Index : Yes / No

Speaking / Non-speaking

Neutral Citation : Yes / No

gpa



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To

WEB COPY

1. The Superintendent of Police
Thiruvallur District
Thiruvallur
2. The Deputy Superintendent of Police
Thiruvallur District
Thiruvallur
3. The Inspector of Police
Mappedu Police Station
Thiruvallur District
4. The Public Prosecutor
High Court, Madras.



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M.SUNDAR, J.,
and
M.NIRMAL KUMAR, J.,

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