



H.C.P.No.958 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.06.2023

CORAM
THE HONOURABLE MR.JUSTICE M.SUNDAR

and

THE HONOURABLE Mrs.JUSTICE K.GOVINDARAJAN
THILAGAVADI

H.C.P.No.958 of 2023

Venona Furtado

..

Petitioner

Vs.

1. Union of India Rep. By
The Superintendent of Police
Office of the Superintendent of Police
Puducherry – 605 001

2. The Station House Officer (SHO)
“D” Nagar Police Station
Gorimedu
Puducherry

3. Oscar William Pereira

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of habeas corpus to direct the second respondent to produce the petitioner's minor female child 'xxx' aged about 2 years and 16 months before this Court who has been unlawfully and illegally detained by the third respondent and handover the child to the petitioner.

For Petitioner

:

Mr.Prakash Adiapadam

Page Nos.1/4



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H.C.P.No.958 of 2023

For Respondents : Ms.K.S.Mohandass
Public Prosecutor (Puducherry)
Assisted by
Ms.Danalatchaamy for R1 and R2

ORDER

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

This order will now dispose of the captioned 'Habeas Corpus Petition' ['HCP' for the sake of brevity] as it came to light from the submissions that there is a happy ending to the entire episode.

2. Considering the stated position of the petitioner, we do not propose to be detained by details qua facts. Suffice to say that the central theme of the captioned HCP is petitioner's two year old minor daughter was allegedly in illegal custody of third respondent (private respondent) who according to the petitioner is her live-in partner.

3. When the matter was taken up, Ms.Danalatchaamy, learned counsel representing Mr.K.S.Mohandass, Public Prosecutor (Union Territory of Puducherry) on behalf of Respondents 1 and 2 (Official Respondents) and Mr.Balamurugan, Inspector of Police, Dhanvanthiri Nagar Police Station, Puducherry (second respondent) were before us.



H.C.P.No.958 of 2023

4. Be that as it may, Mr.Prakash Adiapadam, learned counsel on record for the petitioner submitted on instructions that it has now come to light that the petitioner's two years old child (hereinafter 'absentee' for the sake of convenience and clarity) is now with the petitioner's mother who is residing in Mangalore, State of Karnataka.

5. This means that there is no illegal detention much less illegal detention by third respondent.

In the light of the narrative thus far, we find no reason to continue with the habeas corpus legal drill. Sequitur is captioned HCP is disposed of as closed.

(M.S.,J.)

(K.G.T.,J.)

08.06.2023

gpa

To

1. The Superintendent of Police
Office of the Superintendent of Police
Puducherry – 605 001
2. The Station House Officer (SHO)
“D” Nagar Police Station
Gorimedu
Puducherry
3. The Public Prosecutor
High Court, Madras.

Page Nos.3/4



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H.C.P.No.958 of 2023

M.SUNDAR, J.,
and
K.GOVINDARAJAN THILAGAVADI, J.,

gpa

H.C.P.No.958 of 2023

08.06.2023

Page Nos.4/4