



HCP(MD)No.205 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 13.02.2023

CORAM

**THE HON'BLE DR.JUSTICE G.JAYACHANDRAN
AND
THE HON'BLE MR.JUSTICE K.K. RAMAKRISHNAN**

H.C.P.(MD)No.205 of 2023

Nithya

.. Petitioner / Mother of the
Detenu

Vs.

The Sub Inspector of Police,
Sipcot Police Station,
Sivagangai District.

.. Respondent

Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus, directing the respondent to produce the body or person of the petitioner's son namely, Karsen, S/o.Kalieswaran, male aged about 9 years before this Court and hand over him custody to the petitioner.

For Petitioner :Mr.C.R.Ponnuthai

For Respondent :Mr.R.Meenakshi Sundaram
Additional Public Prosecutor



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4.In view of the above facts, the allegation that the boy was forcibly taken away by his father on 09.06.2022, as alleged in the complaint appears to be false. Therefore, regarding the custody of the boy, the petitioner should work out her remedy before the Family Court which will after trial decide about the best interest of the child and pass appropriate order regarding custody.

5.With the above observation, this Habeas Corpus Petition is dismissed.

(G.J.,J.) (K.K.R.K.,J.)
13.02.2023

NCC:Yes/No

Index:Yes/No

Internet:Yes/No

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To

1.The Sub Inspector of Police,
Sipcot Police Station,
Sivagangai District.

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



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