

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.03.2023

CORAM

The Honourable Mr. Justice **R.SURESH KUMAR**
and
The Honourable Mr. Justice **K.K.RAMAKRISHNAN**

H.C.P.(MD)No.392 of 2023

Thavamani

.. Petitioner

Vs.

1.The Superintendent of Police,
Dindigul District.

2.The Inspector of Police,
Vadamadurai Police Station,
Dindigul.

3.Vignesh

4.Amsuvalli

5.Thangavel

6.Rajangam

7.Muthupandi

8.Prakash

.. Respondents

Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus to direct the 1st and 2nd respondents to produce the body or person of the petitioner's daughter Meena, D/o.Thavamani aged about 17 years before this Court and handed over her custody to the petitioner.

For Petitioner : Mr.P.Venkatesan

For Respondents : Mr.A.Thiruvadikumar for R1
& R2
Additional Public Prosecutor
Mr.S.Ramakrishnan for R3 to
R8

ORDER

[Order of the Court was made by **R.SURESH KUMAR, J.**]

This Habeas Corpus Petition has been filed to produce the body or person of the petitioner's daughter Meena, D/o.Thavamani aged about 17 years before this Court and handed over her custody to the petitioner.

2. Today, when the matter was taken up for hearing, the learned Additional Public Prosecutor appearing for the respondents has produced the detinue. When we enquired, she has stated that though she lived with the petitioner, who is her mother, after some time, she was able to found that the petitioner was leading a wavered life and she had some illegal

relationship with some third party and therefore, got annoyed over the same and wanted to go away from her and now, she wants to go with her father, namely, Thathi Naicker, who has also come before this Court. In view of the said submission made in this regard, we feel that we can permit the detenue to go along with her father.

3. Insofar as the respondents 3 to 8 are concerned, the learned counsel appearing on behalf of them would submit that they are village people and relatives of the parties and they are unnecessarily implicated in this case. In view of the said submission made by the detenue, by recording the same, we feel that the habeas corpus petition may be closed, but at the same time, insofar as the plea of the learned counsel for the petitioner that since the detenue is a minor girl, her custody must be with the petitioner, who is the mother, is concerned, for the said relief, it is open for the petitioner to approach the competent Court in the manner known to law. Accordingly, this petition is closed.

(R.S.K.,J.) (K.K.R.K.,J.)
24.03.2023

Index : Yes/No
Internet : Yes
RR

To

- 1.The Superintendent of Police,
Dindigul District.
- 2.The Inspector of Police,
Vadamadurai Police Station,
Dindigul.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

HCP(MD)No.392 of 2023

R.SURESH KUMAR,J.
and
K.K.RAMAKRISHNAN,J.

RR

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