



H.C.P.(MD) No.566 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.05.2023

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MRS.JUSTICE S.SRIMATHY

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S.Sathya

... Petitioner

-VS-

1.The Superintendent of Police
Dindigul

2.The Inspector of Police
All Women Police Station
Sanarpatti, Dindigul

3.Suresh

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus directing the respondents 1 and 2 herein to secure the detainee minor namely Ravan, son of Suresh, aged about 2 ½ years and produce before this Court and handed over him custody to the petitioner.



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For Petitioner : Mr.P.Manikandan

For Respondents : Mr.T.Senthil Kumar
Additional Public Prosecutor for R1 & R2

ORDER

Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondents 1 and 2.

2. Issuance of notice to the third respondent is dispensed with.

3. The petitioner is the wife of the third respondent. The marital relationship between them appears to have come under strain. The specific allegation of the petitioner is that the third respondent had forcibly taken away the child from her custody. It is seen that the third respondent has filed G.W.O.P.No.182 of 2023 on the file of the Principal District Court, Coimbatore. The petitioner can very well file interlocutory application in the said G.W.O.P. She can also apply for transfer of the said G.W.O.P. in the manner known to law. If any such interlocutory application is filed in the said G.W.O.P., the learned Principal District Judge, Coimbatore, shall dispose of the same in accordance with law, within a period of two weeks thereafter. We make it



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clear that we have not gone into the merits of the matter and all the contentions are left open.

4. With the above direction, this habeas corpus petition is disposed of.

[G.R.S., J.] [S.S.Y., J.]

10.05.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

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To:

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



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