



WEB COPY



HCP.No.532 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.08.2024

CORAM :

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE MR. JUSTICE N.SENTHILKUMAR

H.C.P.No.532 of 2024

K.M.Sathya

... Petitioner/Father of
the detenue

Vs.

1. The State of Tamil Nadu
Represented by
The Superintendent of Police,
Chengalpattu District.
2. The Inspector of Police,
Kalpakkam Police Station,
Chengalpattu District.
3. Mohan

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus, directing the first and second respondents herein to produce the petitioner's minor child namely S.Thamizhini, aged about 6 years, from illegal custody of the third respondent and produce before this Court forthwith and handover the custody to the petitioner and pass such further orders.



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HCP.No.532 of 2024

For Petitioner : Mr.K.Thilagaraj
For Respondents : Mr.E.Raj Thilak,
Additional Public Prosecutor

ORDER

(Order of the Court was made by *S.M.SUBRAMANIAM, J.*)

The habeas corpus petition has been instituted to direct the first and second respondents herein to produce the petitioner's minor child namely S.Thamizhini, aged about 6 years, from illegal custody of the third respondent.

2. Mr.E.Raj Thilak, the learned Additional Public Prosecutor would submit that the minor girl is not in an illegal custody. After the death of the mother of the minor child, she is now brought up by the maternal grandparents.

3. That being the fact, the custody cannot be termed as illegal detention. If at all any dispute exist between the parties they are at liberty to approach the competent Court of law for the purpose of resolving the issues.



HCP.No.532 of 2024

4. Accordingly, the habeas corpus petition stands dismissed.

WEB COPY

[S.M.S., J.]

[N.S., J.]

29.08.2024

Index : Yes/No
Speaking Order : Yes/No
Neutral Citation : Yes/No
veda

To

1. The State of Tamil Nadu
Represented by
The Superintendent of Police,
Chengalpattu District.
2. The Inspector of Police,
Kalpakkam Police Station,
Chengalpattu District.
3. The Public Prosecutor,
Madras High Court,
Chennai - 104.



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S.M.SUBRAMANIAM, J.
AND
N.SENTHILKUMAR, J.

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