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H.C.P.(MD)NO.1607 OF 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.12.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MS.JUSTICE R. POORNIMA

H.C.P.(MD)No.1607 of 2022

B.Senkathir Selvan

... Petitioner / Father of the detenu

Vs.

1. The Superintendent of Police,
Sivagangai District,
Sivagangai.

2. The Inspector of Police,
All Women police station,
Karaikudi,
Sivagangai District.

3. K.Murugeswari

... Respondents

Prayer: Habeas Corpus petition is 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 petitioner's minor daughter namely Magadheera aged 1 year and 6 months old from the illegal custody of the third respondent and produce the child before this Court and hand over her to the petitioner's custody who is the natural guardian of the minor child.

For Petitioner : Mr.S.Bharathy Kannan

For R-1 & R-2 : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor.

For R-3 : Mr.K.Samidurai

**ORDER**

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(Order of the Court was delivered by G.R.SWAMINATHAN, J.)

Heard the learned counsel on either side.

2. The petitioner is the father of the minor girl child who is aged about 3 ½ years. The petitioner's wife is no more. The contest was over the custody of the child between the petitioner on the one hand and the mother-in-law on the other. This Court had passed an interim order on 14.11.2022. Questioning the same, the mother-in-law filed Criminal Appeal No.3133 of 2024.

3. The Hon'ble Supreme Court disposed of the criminal appeal vide order dated 29.07.2024. The parties will have to work out their remedies in terms of the order passed by the Hon'ble Supreme Court. This Habeas Corpus petition is disposed of.

(G.R.SWAMINATHAN, J.) & (R. POORNIMA, J.)**2nd December 2024**

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



WEB COPY **To:**

1. The Superintendent of Police,
Sivagangai District,
Sivagangai.
2. The Inspector of Police,
All Women police station,
Karaikudi,
Sivagangai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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