



H.C.P(MD)No.1120 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.09.2024

CORAM:

**THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN
AND
THE HON'BLE MR.JUSTICE J.SATHYA NARAYANA PRASAD**

H.C.P.(MD) No.1120 of 2024

R.Kokila ...Petitioner /wife & mother of the detenu

Vs.

1. The State of Tamil Nadu, Rep. by
The Superintendent of Police,
Sivagangai.

2.The State of Tamil Nadu, Rep. by
The Inspector of Police,
Singampunari Police Station,
Singampunari,
Sivagangai District.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India
praying for the issue of a Writ of Habeas Corpus, directing the second



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respondent for production of the person or body of petitioner's husband Pandiselvan, S/o.Muthiah (43) and children, Janani, D/o.Pandiselvan (11), Dhinal Sri, D/o.Pandiselvan (9) and Ratchagan, S/o.Pandiselvan (6), before this Court and set them at liberty.

For Petitioner : Ms.B.Asha

For Respondents : Mr.A.Thiruvadi Kumar (for R1 & R2)
Additional Public Prosecutor

ORDER

The Habeas Corpus Petition has been filed by a mother complaining that her husband along with her three children, two daughters and one son have been missing from the marital house on and from 24.06.2024.

2. Mr.A.Thiruvadi Kumar, learned Additional Public Prosecutor had taken notice on behalf of the respondents.

3. Today, the husband of the petitioner and three children have been produced before us.



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4. On enquiry, it is found by us that the husband of the petitioner has reasonable cause to move away from the marital house along with the three children.

5. We enquired with the three children. The two daughters are studying 7th standard and 5th standard respectively at Vellanur Government Higher Secondary School and are staying in the Hostel in that particular school. They prefer to stay in the Hostel. They do not want, at this stage, to go with the petitioner/mother. The third child, a boy is residing with the sister of the husband of the petitioner and is going to School there.

6. In view of the fact that the husband of the petitioner and the three children are safe and they have been produced before this Court, and the issue is about guardianship and custody of the children, the petitioner may take appropriate steps in that regard, if so advised. But at any rate, no further orders are required to be passed in this Habeas Corpus Petition.



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7. Accordingly, this Habeas Corpus Petition stands closed.

(C.V.K., J.) (J.S.N.P., J.)
24.09.2024

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

RM



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



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C.V.KARTHIKEYAN, J.
AND
J.SATHYA NARAYANA PRASAD, J.

RM

ORDER MADE IN
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24.09.2024