



H.C.P(MD)No.1303 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.11.2024

CORAM:

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
AND
THE HONOURABLE MS.JUSTICE R.POORNIMA**

H.C.P.(MD) No.1303 of 2024

S.Jegadeeswaran

... Petitioner / Father of the Detenue

Vs.

**1.The Superintendent of Police,
Ramanathapuram District.**

**2.The Inspector of Police,
Kenikkarai Police Station,
Ramanathapuram District.**

3.Kaleeswari

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for the issue of a Writ of Habeas Corpus, to direct the 1st and 2nd Respondents to produce a person or body of petitioner's daughter namely the detenue by name Thuvesha (Minor Female child aged 8 years) before this Court and hand over the custody to the petitioner.



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For Petitioner : Mr.R.Anand

For Respondents : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor
for R1 & R2

ORDER

Heard both sides.

2. The petitioner is the father of the detenue. The detenue is a minor girl child. The minor child is presently with the mother. We tried to counsel the parties. The petitioner would allege that during his absence, his wife had come and forcibly taken the child away. Since the girl child is after all with the mother, we cannot characterise it as a case of illegal detention. The petitioner has to work out his rights in the manner known to law.

3. The Habeas Corpus Petition is disposed of.

(G.R.S., J.) (R.P., J.)
18.11.2024

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



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



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G.R.SWAMINATHAN, J.
AND
R.POORNIMA, J.

rmi

ORDER MADE IN
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