



H.C.P.(MD)No.1442 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 20.11.2024

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

H.C.P.(MD)No.1442 of 2024

M.S.Deepika

... Petitioner / Mother of the Detenue

Vs.

1.The State of Tamil Nadu,
Rep by the Superintendent of Police,
Kanyakumari District,
At Nagercoil.

2.The Inspector of Police,
All Women Police Station,
Marthandam,
Kanyakumari District.

3.The Inspector of Police,
Arumanai Police Station,
Arumanai,
Kanyakumari District.

4.Sibu Neel

... 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



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respondents 1 to 3 herein to produce the body or person of the petitioner's minor son, namely, Shidheep Neel, S/o.Shibu Neel aged about 5 years before this Court and hand over to the petitioner.

For Petitioner : Mr.M.R.Sreenivasan

For Respondents : Mr.E.Antony Sahaya Prabahar,
Addl. Public Prosecutor for R1 to R3.
Mr.T.S.R.Venkat Ramana, Senior Counsel,
For Ms.V.Janaki Devi for R4.

ORDER

(Order of the court was delivered by G.R.Swaminathan, J.)

Heard the learned counsel for the petitioner, the learned Additional Public Prosecutor for the official respondents and the learned senior counsel for the fourth respondent.

2.The petitioner got married to the fourth respondent on 16.06.2010. A male child was born on 14.11.2018. The petitioner has filed this habeas corpus petition on the allegation that the fourth respondent had forcibly taken away the child.



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3.The child was produced before us. The child has made it clear that he needs the love of both the mother and the father.

4.We referred the matter to the mediation centre. An amicable settlement has been arrived at.

5.We also counselled the parties. It has been broadly agreed that the child can be with the father from 04.00 pm to 07.00 pm on all the working days. The father himself will drop the child at the house of the petitioner between 07.00 pm to 08.00 pm. The petitioner agreed to rejoin the husband within a month. Since the parties have amicably resolved their differences, this habeas corpus petition is disposed of.

(G.R.S. J.) & (R.P. J.,)
20.11.2024

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

To:-

1.The Superintendent of Police,
Kanyakumari District,
At Nagercoil.

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- 2.The Inspector of Police,
All Women Police Station,
Marthandam,
Kanyakumari District.
- 3.The Inspector of Police,
Arumanai Police Station,
Arumanai,
Kanyakumari District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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and
R.POORNIMA, J.

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