



H.C.P.(MD)No.1465 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.11.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MR.JUSTICE P.VADAMALAI

H.C.P.(MD)No.1465 of 2024

P.Divya Bharathi

... Petitioner / Mother of the Detenue

Vs.

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

2.The Inspector of Police,
All Women Police Station,
Sanarpatty,
Dindigul.

3.K.Dharmaraj

... 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 respondents 1 & 2 herein to produce the body and person of the petitioner's child namely Nishanth aged about 3.5 years old before this Court and handed over the petitioner.



H.C.P.(MD)No.1465 of 2024

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For Petitioner : Mr.G.Ganeshkumar

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

: Mr.K.Arunraj
for R3

ORDER

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

Heard both sides.

2. The petitioner is the mother of the detinue. The child is presently with the third respondent. We counseled the parties. They arrived at an amicable understanding. Pursuant to the request made by us, the third respondent / father of the child has agreed to hand over the child to the petitioner / mother. The mother has also agreed that she will respect the visitation rights of the father. The petitioner agrees that the third respondent can come down to Chennai or wherever she is residing and take the child with him twice a month. The child can be with the father for full two days. A consent memo has also been filed. The same is taken on record.

2/4



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3. The Habeas Corpus Petition is disposed of accordingly.

(G.R.S. J.) & (P.V.M. J.)
28.11.2024

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

To:-

- 1.The Superintendent of Police,
Dindigul District,
Dindigul.
- 2.The Inspector of Police,
All Women Police Station,
Sanarpatty,
Dindigul.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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and
P.VADAMALAI, J.

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