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H.C.P.(MD)NO.1508 OF 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.12.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MS.JUSTICE R. POORNIMA

H.C.P.(MD)No.1508 of 2024

Thanis Deepa

... Petitioner / Mother of the detenu

Vs.

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

2. The Inspector of Police,
Palukal police station,
Palukal,
Kanyakumari District.

3. Thangakumar

... Respondents

Prayer: Habeas Corpus petition is filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, to direct the 2nd respondent to produce petitioner's children namely Kanishka (Aged 12 years) D/o. Thangakumar and Absara (aged 7 years) D/o. Thangakumar, before this Court and handover the custody to the petitioner.

For Petitioner : Mr.P.T.Ramesh Raja

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

For R-3 : Mr.K.Giri Manuel

* * *



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

Heard both sides.

2. The petitioner is the wife of the third respondent. The children are presently with the third respondent. Seeking their custody, this Habeas Corpus petition has been filed.

3. We are of the view that the petitioner has to work out her rights only before the jurisdictional civil Court / Family Court. Granting such liberty to the petitioner, this Habeas Corpus petition stands disposed of.

(G.R.SWAMINATHAN, J.) & (R. POORNIMA, J.)**16th December 2024**

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

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To:

1. The Superintendent of Police,
Nagercoil,
Kanyakumari District.
2. The Inspector of Police,
Palukal police station,
Palukal,
Kanyakumari District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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