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H.C.P.No.546 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.04.2025

CORAM:

**THE HON'BLE MR.JUSTICE M.S.RAMESH
AND
THE HON'BLE MR.JUSTICE N.SENTHILKUMAR**

H.C.P.No.546 of 2025

S.Kumar

...Petitioner

Vs

1.The Superintendent of Police,
Cuddalore District.

2.The Inspector of Police,
Mangalampetta Police Station,
Cuddalore District.

3.Rajesh

...Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus directing the respondents to produce the petitioner's daughter namely Suruthi D/o Kumar aged about 32 years and petitioner's minor granddaughter namely Yuvasri, D/o. Suruthi aged about 12 years before this Court from the illegal custody of the 3rd respondent and set them at liberty.

For Petitioner

: Mr.M.Selvam

For R1 & R2

: Mr.R.Muniyapparaj, APP
assisted by Mr.M.Sylvester John



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ORDER

(Order of the Court was made by M.S.RAMESH,J.)

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The petitioner herein is the father of a 32 years old woman and grandfather of a 12 years old girl child. Claiming that both his daughter and granddaughter have gone missing and the Police have not taken any action on the FIR in Crime No.250 of 2024, dated 05.11.2024, the present Habeas Corpus Petition has been filed.

2. Pending the Habeas Corpus Petition, the respondents-Police have secured the petitioner's daughter, as well as the granddaughter and produced them before us. We had interacted with both of them along with the petitioner, as well as his son-in-law. While the petitioner's daughter expressed that she does not intend to live with her husband, her minor daughter also was of the same view. The petitioner's daughter stated that her daughter could not attend school for the past five months and that she has made arrangements to admit her in a new school. Since the petitioner's son-in-law would state that he intends to reconcile with his wife and daughter, we are unable to persuade the petitioner's daughter in this regard.

3. Since the petitioner's granddaughter is in the custody of his daughter, who is a major, the present prayer does not require consideration. However, we



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are of the view that the petitioner's daughter, as well as the petitioner's son-in-law may approach the concerned Family Court to redress their grievances with regard to the matrimonial dispute, as well as the custody of their minor daughter.

4. With the above liberty, the Habeas Corpus Petition stands closed.

(M.S.R.,J.) (N.S.,J.)
23.04.2025

Index: Yes/No
Neutral Citation: Yes/No
Speaking order/Non-speaking order
hvk

To

1.The Superintendent of Police,
Cuddalore District.

2.The Inspector of Police,
Mangalampetta Police Station,
Cuddalore District.

3.The Public Prosecutor,
High Court of Madras, Chennai.



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M.S.RAMESH,J.
AND
N.SENTHILKUMAR,J.

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