



WEB COPY



H.C.P. No.959 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.05.2025

CORAM:

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN
AND
THE HONOURABLE MR. JUSTICE V. LAKSHMINARAYANAN

H.C.P. No.959 of 2025

Vijayakumar

Petitioner

vs.

1. State represented by
the Deputy Superintendent of Police
Coimbatore District
2. The State
represented by the Inspector of Police
All Women Police Station
Mettupalayam
Coimbatore District
3. Abinaya
4. Poovarasan @ Ashwin

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of habeas corpus to direct the respondents to produce the body and person of the petitioner's minor son Rakshan before this Court from the illegal custody of the respondents 3 and 4 and hand over his custody to the petitioner.

For petitioner
For RR 1 & 2

Mr. M. Ashwin Kumar
Mr. E. Raj Thilak
Addl. Public Prosecutor

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ORDER

(made by G.R. SWAMINATHAN, J.)

The petitioner is none other than the husband of the third respondent. The marital life between the two appears to have been under strain. As on date, the third respondent is having the custody of the minor child. This habeas corpus petition is filed to direct the official respondents to produce the minor child from the illegal custody of the private respondents.

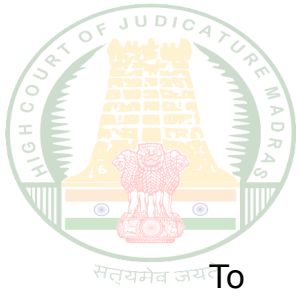
2. By no stretch of imagination, can the custody of the minor child with the third respondent be called illegal. The petitioner has to necessarily approach the jurisdictional family Court/Civil Court for appropriate relief. The petitioner can very well file a G.W.O.P. and raise all the contentions now urged before us and seek relief.

With the aforesaid liberty to the petitioner, this habeas corpus petition stands dismissed.

(G.R.S.,J.) (V.L.N.,J.)
21.05.2025

cad

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To
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1. The Deputy Superintendent of Police
Coimbatore District
2. The Inspector of Police
All Women Police Station
Mettupalayam
Coimbatore District
3. The Public Prosecutor
High Court of Madras
Chennai 600 104



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G.R. SWAMINATHAN, J.

and

V. LAKSHMINARAYANAN, J.

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