



HCP.No.1094 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :12.08.2025

CORAM :

**THE HONOURABLE MR. JUSTICE M.S. RAMESH**  
**AND**  
**THE HONOURABLE MR. JUSTICE V.LAKSHMINARAYANAN**

**H.C.P.No.1094 of 2025**

Jafarullakhan

... Petitioner

*Vs.*

- 1 The Commissioner of Police  
City Commissioner Office Vepperi Chennai.
- 2 The Assistant Commissioner of Police,  
Assistant Commissioner Office,  
B-2, Esplanade police Station Compound,  
Chennai.
- 3 The Inspector of Police,  
B-2 Esplanade Police Station, Chennai.
- 4 Barjana Banu
- 5 Mohammed Ali Jinna

... Respondents

**PRAYER:** Petition filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus, directing the respondents to produce the detainee Jamarath Banu aged 8 years daughter of the petitioner herein before this Court and hand over her custody to the petitioner.



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For Petitioner : Mr.R.Sivaraman  
For Respondents : Mr.E.Raj Thilak,  
Additional Public Prosecutor  
Mr.T..Tamizhmani for R4 & R5

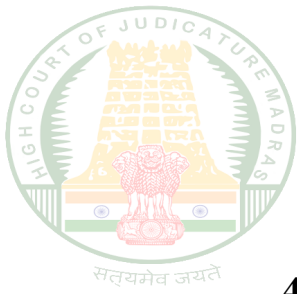
**ORDER**

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

Claiming custody of the petitioner's 8 years old daughter who is right now under the care and protection of the 4<sup>th</sup> respondent, this Habeas Corpus Petition has been filed.

2. The 4<sup>th</sup> respondent is the paternal aunt of the petitioner's daughter. In order to amicably resolve the dispute among the parties, we have referred the matter to the Mediation and Conciliation Centre attached to this Court for mediation which ended up failure.

3. In this background when the Habeas Corpus Petition was listed today, the learned counsel for the petitioner submitted that he is willing to permit the 4<sup>th</sup> respondent to visit his minor child as and when required and even the interim custody of the child can be handed over to the 4<sup>th</sup> respondent for 30 days in a year.



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4. The 4<sup>th</sup> respondent who is physically present before us, has also agreed for such an arrangement.

5. In the light of the submissions made, the custody of the minor child is directed to be handed over today to the petitioner. The 4<sup>th</sup> respondent is at liberty to visit the petitioner's child as and when required after giving prior intimation to the petitioner. This apart, the 4<sup>th</sup> respondent is also at liberty to have interim custody of the child for atleast a month in a year, preferably during the School summer holidays.

6. With the above observations, this Habeas Corpus Petition stands closed. No costs.

[M.S.R., J] [V.L.N., J]  
12.08.2025

Index: Yes/No  
Speaking Order/ Non Speaking Order  
Neutral Citation : Yes/No  
vum



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**M.S.RAMESH, J.**  
**and**  
**V. LAKSHMINARAYANAN, J.**

vum

To

- 1 The Commissioner of Police  
City Commissioner Office Vepperi Chennai.
- 2 The Assistant Commissioner of Police,  
Assistant Commissioner Office,  
B-2, Esplanade police Station Compound,  
Chennai.
- 3 The Inspector of Police,  
B-2 Esplanade Police Station, Chennai.
- 4.The Public Prosecutor,  
High Court, Madras.

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