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HCP.No.1270 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.08.2025

CORAM :

THE HONOURABLE MR. JUSTICE M.S. RAMESH

AND

THE HONOURABLE MR. JUSTICE V. LAKSHMINARAYANAN

H.C.P.No.1270 of 2025

Kanaga.K

Petitioner(s)

Vs.

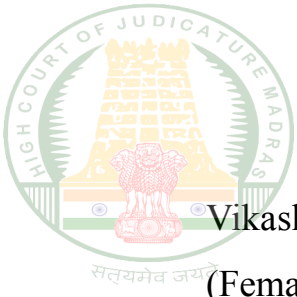
1.The Deputy Commissioner of Police,
Kolathur District,
Vasantham Nagar,
Kumaran Nagar, 3rd Street,
Kolathur, Chennai-600 099

2.The Inspector of Police,
M-3, AWPS Puzhal,
Kolathur, Chennai

3.S.Navaneetha Krishnan

...Respondent(s)

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus, to direct the respondents 1 and 2 to produce the body or person of the petitioner's minor children namely N.Prajith



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Vikash Kripa (Male), born on 26.03.2013, aged 12 years, N.Nilaani Jessica (Female), born on 17.10.2015, aged 10 years and N.Vibash Shahith Kemuel (Male), born on 26.04.2020, aged 5 years, who ere detained unlawfully by the third respondent, before this Court and handover to the petitioner.

For Petitioner : Ms.Sumathi Lokesh

For Respondents : Mr.E.Raj Thilak
Additional Public Prosecutor
for R1 and R2
Mr.S.Sivagurunathan for R3

ORDER

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

Owing to certain matrimonial disputes, the petitioner and the third respondent herein are in an estranged relationship. It is claimed that the minor children of the petitioner are with her husband / third respondent herein and, seeking custody of the children, the present Habeas Corpus Petition has been filed.

2. It is stated by the learned counsel for the petitioner that she has also preferred G.W.O.P.No.190 of 2025 before the learned Principal District



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Judge, Tiruvallur, seeking for a declaration that she is the natural legal guardian and for the permanent custody of the minor children.

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3. It is needless to point out that the petitioner is always entitled to file a petition for interim custody of her children before the Court concerned.

4. Since the petitioner has already initiated the proceedings seeking for custody of the children, it would not be appropriate for this Court to parallely adjudicate the same issue.

5. Hence, this Habeas Corpus Petition stands closed with liberty to the petitioner to redress her grievance before the Court concerned.

[M.S.R., J] [V.L.N., J]
07.08.2025

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



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

To

1.The Deputy Commissioner of Police,
Kolathur District,
Vasantham Nagar,
Kumaran Nagar, 3rd Street,
Kolathur, Chennai-600 099

2.The Inspector of Police,
M-3, AWPS Puzhal,
Kolathur, Chennai

3.The Public Prosecutor,
High Court, Madras.

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