



H.C.P.No.1747 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-09-2025

CORAM:

THE HONOURABLE MRS. JUSTICE J. NISHA BANU

AND

THE HONOURABLE MR. JUSTICE S. SOUNTHAR

**H.C.P.No.1747 of 2025**

S.Deepa

D/o Sakthivel

... Petitioner

Vs.

1.The Commissioner of Police,  
Vepery, Chennai – 600 007.

2.The Inspector of Police,  
Arumbakkam Police Station,  
Chennai.

3.Petchimuthu

... Respondents

**PRAYER:** The Habeas Corpus Petition is filed under Article 226 of the Constitution of India for the issuance of a Writ of Habeas Corpus, directing the 1<sup>st</sup> and 2<sup>nd</sup> respondents to produce the body or the person of the petitioner's minor child namely P.D.Dheera, son of Petchimuthu, aged about four years before this Court from the custody of the 3<sup>rd</sup> respondent/husband and hand over to the petitioner.

For Petitioner : Mr.V.K.Sathiamurthy

For Respondents : Mr.A.Damodaran  
Additional Public Prosecutor for R1 and R2



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**ORDER**

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**J.Nisha Banu,J.**  
**and**  
**S.Sounthar,J**

The Habeas Corpus Petition has been filed by the mother of the detainee seeking for a directing to the 1<sup>st</sup> and 2<sup>nd</sup> respondents to produce the body or the person of the petitioner's minor child namely P.D.Dheera, son of Petchimuthu, aged about four years before this Court from the custody of the 3<sup>rd</sup> respondent/husband and hand over to the petitioner.

2. Heard both sides.

3. The 3rd respondent/husband is present before this Court along with the child/detinue. The petitioner is also present before this Court.

4.It is seen from the records that there is matrimonial dispute between the petitioner and the 3rd respondent and the proceedings are pending before the Family Court. The detainee is not in illegal custody. Therefore, we are not inclined to entertain this Habeas Corpus Petition. The petitioner is at liberty to approach the appropriate Forum to work out her remedy. Accordingly, the Habeas Corpus Petition is dismissed.

**(J.NISHA BANU J.) (S.SOUNTHAR J.)**

22.09.2025

vsi



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To

1.The Commissioner of Police,  
Vepery, Chennai – 600 007.

2.The Inspector of Police,  
Arumbakkam Police Station,  
Chennai.

3. The Public Prosecutor,  
High Court, Chennai



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**J. NISHA BANU, J.**  
**and**  
**S. SOUNTHAR, J.**

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