



H.C.P.No.2261 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.11.2025

CORAM :

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

AND

THE HONOURABLE MR. JUSTICE M. JOTHIRAMAN

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Shyamala

... Petitioner

Vs.

1.The Commissioner of Police,
Office of the Commissionerate,
Avadi - 600 054.

2.The State represented by
The Inspector of Police,
SRMC Police Station,
Ayyappanthangal, Chennai.

3.Sheela

4.Ravi

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Habeas Corpus directing the 1st and 2nd respondents to produce the petitioner's husband Mr.Sakkarapani, aged about 82 years before this Court who is under the illegal custody of the 3rd and 4th respondents since December, 2024 and set him at liberty.



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For Petitioner : Mr.R.Karunakaran
For R1 and R2 : Mr.A.Damodaran
Additional Public Prosecutor
assisted by Mr.M.Karthikeyan
R3 : Appeared in person

ORDER

(Order of the Court was made by **N. SATHISH KUMAR, J.**)

This Habeas Corpus Petition has been filed by the petitioner/wife to produce her husband Mr.Sakkarapani, aged about 82 years before this Court who is under the illegal custody of the 3rd and 4th respondents since December, 2024 and set him at liberty.

2.It is the case of the petitioner that the respondents 3 and 4 are her daughters. The elder daughter/3rd respondent took her husband to Kerala under compulsion and coercion and she got execution of documents in her favour in respect of properties in Kerala. When the petitioner attempted to see her husband, she was prevented from seeing him or speaking with him. It is the grievance of the petitioner that her husband is under wrongful



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restraint against his wishes at the hands of the 3rd respondent. Hence, she has come forward with the present Habeas Corpus Petition.

3.Today, the detenu/husband of the petitioner is produced before this Court. The 3rd respondent is also present before the Court. On interaction, it appears that the husband of the petitioner is now with his elder daughter, the 3rd respondent herein. There appears to be some family dispute and the husband of the petitioner states that he is residing with his elder daughter (3rd respondent) on his own consent.

4.In such view of the matter, the petitioner's husband is not in illegal custody. Therefore, this Habeas Corpus Petition is closed. However, it is always open to the petitioner to visit her husband and the 3rd respondent also assured that she will allow her mother/petitioner to see her husband and talk with him.

(N.S.K., J.) (M.J.R., J.)
06.11.2025

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Internet : Yes

Index : Yes / No

Speaking Order / Nonspeaking order

Neutral Citation : Yes / No

To

1.The Commissioner of Police,
Office of the Commissionerate,
Avadi - 600 054.

2.The Inspector of Police,
SRMC Police Station,
Ayyappanthangal, Chennai.

3.The Public Prosecutor,
High Court, Madras.



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