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H.C.P.No.2456 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.12.2025

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN
and
THE HONOURABLE MR. JUSTICE M.JOTHIRAMAN

H.C.P.No.2456 of 2025

Mageshwari

... Petitioner

Vs.

1. The Superintendent of Police,
Kallakurichi District, Kallakurichi.

2. The Inspector of Police,
Thirunavalur Police Station,
Kallakurichi District.

3. Vikram

... Respondents

Prayer: This Habeas Corpus Petition has been filed under Article 226 of the Constitution of India to issue Writ of Habeas Corpus to direct the first and second respondents herein to secure and produce the petitioner's minor girl Usha D/o. Venkatesan, aged 16 years before this Court from the illegal custody of the third respondent and hand over to the petitioner forthwith.

For Petitioner : Mr.K.Murugan

For Respondent : Mr.A.Damodaran, Addl. Public Prosecutor,
Assisted by Mr.M.Karthikeyan



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ORDER

The petitioner seeks production of her minor daughter namely, Usha, aged about 16 years before this Court and handover her custody to the petitioner.

2 Today, even though the matter is not listed, at the instance of the learned Additional Public Prosecutor, the matter is taken up for hearing as Additional List.

3 As directed by this Court vide order dated 10.12.2025, the minor girl namely Usha, has been secured and produced before this Court. Even though the allegation is that the third respondent kidnapped the minor girl, on enquiry, the girl revealed that she is studying B.E. first year and she only went along with the third respondent. Since we are of the opinion that the minor girl has no mental capacity to decide her life, she has been advised to live along with her parents, for which she also willingly ready to go with her parents. The petitioner, who is mother of the minor girl appeared before this Court along with her husband and expressed their willingness to take their minor daughter.



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4 In view of the above, the respondent police is directed to handover the custody of the minor girl Usha to the petitioner, who is her mother, the natural guardian.

5 With the above directions, the Habeas Corpus Petition stands closed.

[PVJ]

[MJRJ]

15.12.2025

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To

1. The Superintendent of Police, Kallakurichi District, Kallakurichi.
2. The Inspector of Police, Thirunavalur Police Station, Kallakurichi District.
3. The Additional Public Prosecutor, Madras High Court.



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P.VELMURUGAN. J.
and
M.JOTHIRAMAN, J.

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