



H.C.P.(MD) No.235 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 24.02.2025

CORAM:

THE HONOURABLE **DR.JUSTICE G.JAYACHANDRAN**

AND

THE HONOURABLE **MS.JUSTICE R.POORNIMA**

HCP(MD)No.235 of 2025

R.Sasikala

... Petitioner/Mother of
the Detenu

-Vs-

1.The State of Tamil Nadu Rep by
The Superintendent of Police,
District Police Office,
Madurai,
Madurai District.

2.The Inspector of Police,
Samayanallur Police Station,
Samayanallur,
Madurai District.

3.Sundaram

4.Indirani

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, directing the 2nd respondent herein to produce the body or person of petitioner's female child, namely Rithikasri, daughter of Ravichandran, aged 09 months who has been detained by the 3rd and 4th respondents herein before this Court.

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For Petitioner : Mr.R.Sundar
For R1 & R2 : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor
For R3 and R4 : Mr.Raghul Priyan(vakalat not filed)

ORDER

DR.G.JAYACHANDRAN, J.
AND
R.POORNIMA, J.

The petitioner herein is the mother of Rithikasri, who was born on 23.04.2024 and she has handed over her child to the third and fourth respondents on certain promise given by them. Later, she was not intimated the whereabouts of the child. Hence, she gave a complaint to the second respondent police and thereafter, the present Habeas Corpus Petition is filed.

2.The respondent police, on enquiry found that the child was voluntarily given to the third and fourth respondents to arrange for adoption, since the petitioner was not interested in bringing up the child. Later, she has changed her mind and gave a complaint. When the police summoned her and enquired that she had admitted the child was given to Indirani to arrange for adoption. Accordingly, the child was given to one Saraswathi, wife of Iyyappan. The said Saraswathi has brought the child and she states that the child was handed over by the petitioner with consent. The petitioner also admits that the child was not sold for money or



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consideration, but on a promise given by the third and fourth respondents.

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3.Considering the facts and circumstances of the case, after advicing the said Saraswathi that if she needs any adoption, she will follow the legal procedure and cannot take adoption unofficially, the minor child is handed over to the petitioner.

4.In view of the above, the Habeas Corpus Petition stands disposed of.

[G.J., J.] & [R.P., J.]

24.02.2025

NCC : Yes / No

Index : Yes / No

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Samayanallur,
Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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