



WEB COPY **BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED :20.02.2.2025

CORAM:

**THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN
AND
THE HON'BLE MS JUSTICE R.POORNIMA**

H.C.P(MD)No.238 of 2025

Yogitha

represented by her Power Agent R.Bamavathy

... Petitioner

.Vs.

1.The Commissioner of Police,
Pudukkottai Main Road,
Opposite to Central Prison,
Subramaniyapuram,
Trichy 620 023.

2.The Inspector of Police,
Srirangam Police Station,
Ammamandapam Road,
Srirangam,
Tiruchirappalli – 620006.

3.Idhayavanan

... Respondents

PRAYER: Habeas Corpus Petition filed under Article 226 of the Constitution of India, praying this Court to direct the second respondent to bring the



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Petitioner's child Maulish Vidhun, aged about 9 years before this Court from the illegal custody of third respondent and hand over the custody of the child to the petitioner.

For Petitioner	: Mr.M.Sundara Pandiya Raja
For Respondents 1 and 2	: Mr.E.Antony Sahaya Prabahar Addl.Public Prosecutor
For Respondent-3	:Mr.R.Maheswaran

ORDER

(Order of the Court was made by **DR.G.JAYACHANDRAN.,J**)

The Habeas Corpus Petition is filed by the Petitioner/mother to direct the second respondent to bring the Petitioner's child Maulish Vidhun, aged about 9 years before this Court from the illegal custody of third respondent and hand over the custody of the child to the petitioner.

2.Heard the learned counsel appearing on either side and perused the materials placed before this Court.

3.The mother, who is living abroad seeks custody of the child through her



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Power Agent. The third respondent is none other than the father of the minor child. The Habeas Corpus Petition is not maintainable when the child is under the legal custody of the father.

4. Accordingly, the Habeas Corpus Petition stands dismissed.

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

20.02.2025

NCS : Yes/No
Index : Yes / No
Internet : Yes / No

vsn

To

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2. The Inspector of Police,
Srirangam Police Station,
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WEB COPY **Copy to**

The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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

vsn

JUDGMENT MADE IN
H.C.P(MD)No.238 of 2025

20.02.2025