



WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :09.04.2025

CORAM:

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

H.C.P(MD)No.388 of 2025

Ganesan

... Petitioner/Father of the detenue

.Vs.

1.The State of Tamil Nadu, represented by
The Superintendent of Police,
Theni District,
Theni.

2.The State of Tamil Nadu, represented by
The Inspector of Police,
Chinnamanur Police Station,
Theni District.

... Respondents

PRAYER: Habeas Corpus Petition filed under Article 226 of the Constitution of India, praying this Court to direct the respondents 1 and 2 to produce the person or body of the detenue namely, Sathiyapriya, daughter of Ganesan, aged about 33 years before this Court and set her at liberty.



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For Petitioner : Mr.K.Saravana BVagavathy

For Respondents : Mr.A.Thiruvadi Kumar
1 and 2 Addl.Public Prosecutor

ORDER

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

The Habeas Corpus Petition is filed alleging that his daughter aged about 33 years gone missing leaving behind three teen aged children, has come before this Court, after giving Police complaint.

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

3.The daughter of the Petitioner is present today before this Court and reports that due to the torture she has met at the hands of the family members, she has deserted the family and living on her own. The petitioner complained that his daughter has taken away the jewels, records and money from the house and gone, whereas, the daughter complained that the Petitioner has forcibly retaining



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the children and not allowing her to have the access. This Court finds that the allegations made against each other are to be dealt with not in a Habeas Corpus Petition, but, by the Police, who has to probe into the complaint of theft of money and document etc by the daughter of the Petitioner. Similarly, the daughter of the Petitioner, if she wants the custody of the child, which according to her been illegally retained by her father, which does not appears to be prima facie true since, who she has left the house on her own and the children are staying in the same place. In any event, it is for her to work out her remedy before the appropriate forum. The Habeas Corpus Petition is filed with some oblique motive, which needs to be dismissed and accordingly, the same stands dismissed.

[G.J.,J.] [R.P.,J.]
09.04.2025

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

vsn

To

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

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2. The Inspector of Police,
Chinnamanur Police Station,
Theni District.

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

ORDER MADE IN
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