



H.C.P(MD)No.736 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.06.2025

CORAM:

THE HONOURABLE **MR.JUSTICE A.D.JAGADISH CHANDIRA**

AND

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

H.C.P(MD)No.736 of 2025

John Praveen

... Petitioner/
Mother of the detenue

-Vs-

State of Tamil Nadu Rep. By
1.The Superintendant of Police,
Nagercoil,
Kanyakumari District.

2.The Inspector of Police,
All Women Police Station,
Colachel,
Kanyakumari District.

3.S.Pratap Singh

... Respondents

PRAYER: Habeas Corpus Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, directing the respondents to produce the body or person of the petitioner's minor daughter, the detenue namely J.Janica,



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D/o.John Praveen, aged about 13 ½ years before this Court and hand over the custody.

For Petitioner : Mr.C.Kishore

For Respondents : Mr.B.Nambi Selvan
Additional Public Prosecutor

ORDER

(Order of the Court was made by A.D.JAGADISH CHANDIRA,J.)

This petition is filed to direct the respondents to produce the body or person of the petitioner's minor daughter, the detenue namely J.Janica, D/o.John Praveen, aged about 13 ½ years before this Court and hand over the custody.

2.The case of the petitioner is that he got married to one Ezhil Priyadharshini on 06.01.2011 and out of the wedlock a child was born on 21.10.2011. The further case of the petitioner is that due to matrimonial dispute they were living separately. The further case is that the wife who was having custody of the child had deserted the child and handed over custody to her father /the third respondent herein, who is a retired police officer. When the petitioner had done to meet the child, the whereabouts of the child was not known. Apprehending danger to the life of his child who is in custody of the third



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respondent, the petitioner has given a complaint to the respondent police and since no action was taken by the respondent police on account of the third respondent being a retired police officer the respondents have refused to take action and thereby the petitioner has filed this present Habeas Corpus Petition.

3. The learned Additional Public Prosecutor appearing for the respondents, on instructions, submitted that based on the complaint given by the petitioner to the Chief Minister Cell, enquiry was conducted by the second respondent. In the meanwhile, it is reported by the petitioner that he had seen the child in the Church and the child on seeing the petitioner had joined him and later the petitioner had brought the child to All Women Police Station for enquiry and the child expressed her willingness to go along with the petitioner and the child is now under the custody of the father.

4. The petitioner along with the child present before this Court.

5. We enquired the child, she had expressed her willingness to go along with her father, the petitioner herein. The petitioner being the only guardian



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custody of the child is handed over to him.

6. In view of the same, the Habeas Corpus Petition stands closed. It is made clear that the observations are made only for disposing of the Habeas Corpus Petition and it will not have a bearing for the matrimonial proceedings pending between the parties.

[A.D.J.C.,J.] & [R.P.,J.]
30.06.2025

NCC:Yes/No

Index:Yes/No

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To

- 1.The Superintendant of Police,
Nagercoil,
Kanyakumari District.
- 2.The Inspector of Police,
All Women Police Station,
Colachel,
Kanyakumari District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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AND
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ORDER MADE IN

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