



HCP(MD)No.872 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 25.07.2025

CORAM:

**THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA
and
THE HONOURABLE MS.JUSTICE R.POORNIMA**

HCP(MD)No.872 of 2025

Gunaseela

... Petitioner

vs.

1. The State of Tamilnadu,
The Superintendent of Police,
Trichy District.

2. The Inspector of Police,
All Women Police Station,
Manaparai.

3. G.Karthikeyan

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, directing the 2nd respondent to produce the body or person of the petitioner's minor son Yesran aged about 2½ years from the custody of the 3rd respondent and hand over to the petitioner.

For Petitioner : Mr.P.Ganapathi Subramanian

For Respondents: Mr.B.Nambi Selvan

Additional Public Prosecutor



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ORDER

[Order of the Court was made by **A.D.JAGADISH CHANDIRA, J.**]

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This Habeas Corpus Petition is filed for directing the 2nd respondent to produce the body or person of the petitioner's minor son Yesran aged about 2½ years from the custody of the 3rd respondent and hand over him to the petitioner.

2. The learned counsel for the petitioner would submit that the petitioner is the wife of the 3rd respondent. The allegation of the petitioner is that the 3rd respondent abused her and assaulted her and her son/detenu and took her son with him. Despite complaint given to the 2nd respondent/Police, they have not conducted any enquiry. Hence, this petition.

3. Today, when the matter is taken up for hearing, the learned Additional Public Prosecutor would submit that the petitioner had made a complaint to the Police in CSR.No.347/2025 that her husband/3rd respondent had taken the child. The 3rd respondent had also lodged a counter complaint in CSR.No.348/2025, alleging that during the



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subsistence the marriage, the petitioner had married another person. In

both the CSRs, an enquiry was conducted and the petitioner as well as the 3rd respondent have appeared before the 2nd respondent/Police on 21.06.2025 and during enquiry, the petitioner has informed the Police that she will take appropriate action through the Civil Court. Accordingly, the enquiry has been closed. He would further submit that the custody of the detenu/child is with the father/3rd respondent.

4. Taking into consideration the fact that the petitioner appeared before the 2nd respondent/Police and informed that she will initiate appropriate legal proceedings through the Civil Court, this Habeas Corpus Petition is closed.

[A.D.J.C., J.] [R.P., J.]
25.07.2025

Index : Yes / No
Neutral Citation : Yes / No
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A.D.JAGADISH CHANDIRA, J.
AND
R.POORNIMA, J.

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To:

1. The Superintendent of Police,
Trichy District.
2. The Inspector of Police,
All Women Police Station,
Manaparai.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER MADE IN
HCP(MD)No.872 of 2025
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