



H.C.P(MD)No.956 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.08.2025

CORAM:

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

AND

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

H.C.P(MD)No.956 of 2025

Rukmani

... Petitioner/
Mother of the detenue

-Vs-

The State of Tamil Nadu rep by its

1.The Superintendant of Police,
Dindigul,
Dindigul District.

2.The Inspector of Police,
Dindigul Taluk Police Station,
Dindigul District.

3.Surendran

... Respondents

PRAYER: Habeas Corpus Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, directing the first and second respondents to produce the person or body of the detenue namley Dhashvanth, S/o.Surendhar, aged about 7 years before this Court and hand over the custody to the petitioner.



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For Petitioner : Mr.C.Susikumar
For R1 to R4 : Mr.B.Nambi Selvan
Additional Public Prosecutor

ORDER

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

This Habeas Corpus Petition is filed to direct the first and second respondents to produce the person or body of the detenu named Dhashvanth, S/o.Surendhar, aged about 7 years before this Court and hand over the custody to the petitioner.

2.The case of the petitioner is that she got married to the third respondent in the year 2016 and out of their wedlock, two sons were born, the elder son viz., Dhashvanth was born on 29.06.2018 and the younger son viz., Tharunkarthik was born on 29.05.2020. It is the further case of the petitioner that the third respondent had developed illegal intimacy with another lady and due to which there was a quarrel between them. While so, on 15.11.2024 the third respondent had assaulted her and taken the elder son as well as 18 sovereign of gold jewels. Recently, the petitioner came to know that the third respondent involved in a murder case in Crime No.247 of 2022 on the file of Dindigul Police and the third



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respondent was arrested. The petitioner was unable to find out the whereabouts of his son. The petitioner had given a complaint to the second respondent to find out her son. Since no action was taken by the respondent police, the present Habeas Corpus Petition is filed.

3.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

4.When the matter is taken up for hearing today, the learned Additional Public Prosecutor appearing for the respondents submitted that the third respondent is none other than the husband of the petitioner and the missing child, who is aged about 7 years was in the custody of the third respondent. However, he was later involved in a murder case and he was arrested and late let out on bail. While the third respondent was in judicial custody, the child was with his parents.

5.Today the missing child is produced before this Court by the second respondent.

6.We enquired the missing child. He expressed his willingness to go along



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with the petitioner/mother, who is a natural guardian. The third respondent has no objection in the child being with the mother.

7.Recording the aforesaid submissions, the Habeas Corpus Petition stands closed.

[A.D.J.C.,J.] & [R.P.,J.]
12.08.2025

NCC:Yes/No
Index:Yes/No
Ns



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To

- 1.The Superintendent of Police,
Dindigul,
Dindigul District.
- 2.The Inspector of Police,
Dindigul Taluk Police Station,
Dindigul District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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A.D.JAGADISH CHANDIRA, J.
AND
R.POORNIMA.,J.
Ns

ORDER MADE IN
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