



H.C.P(MD)No.987 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.08.2025

CORAM:

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

AND

THE HONOURABLE MS.JUSTICE R.POORNIMA

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P.Gowri

**... Petitioner/
Mother of the detainee**

-Vs-

**1.The State of Tamil Nadu,
represented through its,
The Superintendent of Police,
Office of the Superintendent of Police,
Ramanathapuram District.**

**2.The Inspector of Police,
All Women Police Station, Thiruvadanai Taluk,
Ramanathapuram District.**

... 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



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body or person of the detenu namely Minor.Dimple D/o.Palanisami aged about 8 years before this Court and handover the custody to the petitioner.

For Petitioner : Mr.S.Atham Ali

For Respondents : 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 respondents to produce the body or person of the detenu namely Minor.Dimple D/o.Palanisami aged about 8 years before this Court and handover the custody to the petitioner.

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

3.When the matter was listed on 18.08.2025, this Court passed the following order:

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When the matter is taken up for hearing today, the learned Additional Public Prosecutor appearing for the respondents submitted that based on the complaint given by the petitioner, enquiry was conducted by All Women Police Station, the second respondent herein in C.S.R.211 of 2025. During enquiry, they have agreed to live together. He further submitted that the respondent will ensure the presence of the petitioner and the respondent along with the child before this Court on 21.08.2025.

Post the matter on 21.08.2025.

4.Again on 21.08.2025 when the matter was listed, this Court passed the following order:

The case of the petitioner is that she got married to one Palanisamy and out of the wedlock, they got a female child aged about eight years. Due to difference of opinion they got separated and the minor daughter was with the petitioner. The petitioner was living separately with her daughter and her daughter was studying in a school. Whiles, on 21.07.2025 when the daughter of the petitioner was in the school, the husband of the petitioner along with his relatives has forcibly taken the minor child from the



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school. When the same was questioned by the petitioner, she was abused and assaulted. Hence the petitioner had given a complaint before the second respondent and they have issued CSR No. 211 of 2025, however they have not taken any steps to secure the daughter of the petitioner, hence the present petition has been filed.

2.The learned Additional Public Prosecutor would submit that based on the complaint given by the petitioner, enquiry was conducted in CSR No.211 of 2025 and during enquiry, It was found that the custody of the child was with the husband of the petitioner and the child also expressed her willingness to stay with her father. However, the respondent police have produced the husband of the petitioner and the child before this Court.

3.We enquired them in the Chambers. We enquired the detenue. She expressed her willingness to go along with her father and not with the mother.

4. After mediation, the petitioner expressed certain apprehension in living in the village namely, Neerkundram. She was also harassed by the members in the village.

5.The husband of the petitioner agreed to have a separate house at Karaikudi and will take the child and wife with him.



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6.Post the matter on 26.08.2025. Till such time, the custody of the child will be with the father.

5.Pursuant to the order dated 21.08.2025, the second respondent/the Inspector of Police, All Women Police Station, Thiruvadanai Taluk, Ramanathapura District, has filed a report on 26.08.2025. In the report of the second respondent, dated 26.08.2025, it is stated that as per the undertaking given by the husband of the petitioner before this Court on 21.08.2025, the respondent has rented a house at Karaikudi and he is living with his daughter. The same was inspected by the second respondent.

6.The learned Additional Public Prosecutor would submit that the missing person/daughter of the petitioner, is now with the custody of her father namely, Palanisami.

7.Taking into consideration the fact that the daughter is now with the custody of the father, who is the natural guardian. We find that there is no illegal detention.



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8. Accordingly, this Habeas Corpus Petition stands closed.

[A.D.J.C.,J.] & [R.P.,J.]
26.08.2025

NCC: Yes/No

Index: Yes/No

vsg

To

1. The Superintendent of Police,
Office of the Superintendent of Police,
Ramanathapuram District.
2. The Inspector of Police,
All Women Police Station, Thiruvadanai Taluk,
Ramanathapuram District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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AND
R.POORNIMA.,J.

vsg

ORDER MADE IN

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26.08.2025