

H.C.P(MD)No.1140 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
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DATED : 17.09.2025

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN
and
THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

H.C.P.(MD) No.1140 of 2025

Alagarsamy

... Petitioner

Vs

The State of Tamilnadu rep. through

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

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

3.Karunambal

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, to direct the first and second respondents to produce petitioner's son namely Murugesan, aged about 55 years, S/o.Alagarsamy in persons or body of detenu before this Court and set liberty to the detenu.

For Petitioner : Mr.P.Muthusamy

For R1 & R2 : Mr.B.Nambiselvan

Additional Public Prosecutor



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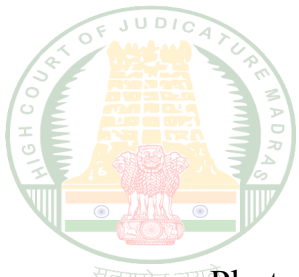
ORDER

(Order of the Court was made by C.V.KARTHIKEYAN,J.)

The petitioner is aged about 82 years old and has filed this petition to produce his son Murugesan, who is aged about 55 years before this Court.

2. The son of the petitioner Murugesan had married the third respondent Karunambal. Subsequently, owing to various issues, the son of the petitioner had filed H.M.O.P.No.36 of 2021 before the Sub Court, Palani and had obtained divorce by judgment and decree dated 26.02.2025. It is contended that he is now kept under illegal custody and confinement of the third respondent.

3. However, the learned Additional Public Prosecutor appearing for the respondents produced a certificate issued by the Dr.G.Kannan, Landmarc Hospital, K.Pudur, Madurai, wherein, the doctor had very clearly stated that the son of the petitioner had been admitted for valuation and for treatment complaining sleep disturbance, talking to himself, wandering, poor self care, suspiciousness and other disease.



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Photographs of the son of the petitioner have also been produced by the learned Additional Public Prosecutor.

4. He is, therefore, not in illegal custody. The grievance of the petitioner is that when the petitioner went over to the hospital, he was denied permission to meet his son. The hospital authorities have also not been impleaded as a party in this case. The petitioner knows the whereabouts of his son. We are of the opinion that the son of the petitioner is only taking treatment and is not in unlawful and illegal custody. We permit the petitioner to meet his son, but the petitioner is very strictly directed from causing any disturbance to his son and not to discharge his son from the hospital till the treatment is completed. Thereafter, he and his son can walk away from the hospital.

5. We find no merits in the habeas corpus petition. This habeas corpus petition is dismissed.

(C.V.K., J.) (R.V., J.)
17.09.2025

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
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To

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



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C.V.KARTHIKEYAN, J.
and
R.VIJAYAKUMAR, J.

am

ORDER MADE IN
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