



H.C.P.(MD)No.1224 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.10.2025

CORAM:

**THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN
and
THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR**

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Shyam Sundar

... Petitioner

-VS-

1. The Commissioner of Police,
Madurai District,
Madurai.

2. The Inspector of Police,
Avaniyapuram Police Station,
Madurai District.

3. Sakthivelan

4. Rekha

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus directing the respondents 1 and 2 to produce the person or body of petitioner's minor daughter, the detainee namely Siva Jovikaa, D/o. Shyam Sundar, aged about 88 days before this Court and handover the custody of her to the petitioner.



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For Petitioner : Mr.S.Poornachandran
For Respondents : Mr.A.Thiruvadikumar,
Addl. Public Prosecutor for R1 & R2
Mr.R.Sevugaraja for R3 & R4

ORDER

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

This Habeas Corpus Petition has been filed complaining that the young infant of the petitioner, who was born on 12.07.2025, is now with the parents-in-law of the petitioner, who had been impleaded as respondents 3 and 4. The wife of the petitioner/mother of the young child had died on 14.07.2025, within two days of giving birth. It had been stated that the petitioner had gone over to the residence of the respondents 3 and 4 to see the child, but he was not permitted to see the child.

2. We had directed notice to be issued to the respondents 3 and 4. Both the respondents 3 and 4 are present in Court. They had very



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categorically stated that they have no objection for the petitioner in coming over to their residence at any time to spend time with the child. They have also stated that they have had no intention to hand the child in adoption to anybody and we would also place a caveat that no such adoption can ever be made without informing the petitioner or obtaining written consent from the petitioner herein.

3. The issues relating to custody of the child will have to be taken up only before the appropriate Court by filing necessary application in that regard. Since, the child is safe and is also cannot be stated to be in unlawful or illegal custody, we would close this Habeas Corpus Petition.

4. Accordingly, this Habeas Corpus Petition stands closed.

[C.V.K., J.]

[R.V., J.]

vsm

24.10.2025



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

vsm

To

1. The Commissioner of Police,
Madurai District,
Madurai.
2. The Inspector of Police,
Avaniyapuram Police Station,
Madurai District.
3. The Additional Public Prosecutor,
Madurai Bench of Maduras High Court,
Madurai.

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