



H.C.P.(MD)No.1474 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 18.12.2025

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

and

THE HONOURABLE MS.JUSTICE R.POORNIMA

H.C.P.(MD)No.1474 of 2025

G.Sangeetha

... Petitioner

-vs-

1. The Superintendent of Police
Virudhunagar District
Virudhunagar

2. The Inspector of Police
Alangulam Police Station
Vembakottai Taluk
Virudhunagar District

3. Sathish Kumar

4. Azhagu Mariyappan

5. Durgai Ammal

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus, directing respondent Nos.1 and 2 to produce the petitioner's son namely S.Rajith, S/o.Sathish Kumar aged about 7 years before this Court and hand over custody to the petitioner forthwith



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For Petitioner : Mr.A.D.Ganesamoorthi

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For R1 and R2 : Mr.R.M.Anbunithi
Additional Public Prosecutor

ORDER

(Order of the Court was made by **G.K.ILANTHIRAIYAN, J.**)

This Habeus Corpus Petition has been filed to direct the respondent Nos.1 and 2 to produce the petitioner's son namely S.Rajith, S/o.Sathish Kumar aged about 7 years before this Court and hand over custody to the petitioner forthwith

2. The petitioner got married with one Sathish Kumar/third respondent on 02.04.2017 and thereafter gave birth to a male child on 01.12.2025 and thereafter due to some mis understanding with the third respondent the petitioner got separated. During separation the third respondent has taken the minor child along with him. The petitioner lodged a complaint before the second respondent on 04.12.2025 alleging that her husband had taken minor son from the custody of the petitioner herein.



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WEB COP 3. Admittedly there is a family dispute between the petitioner and the third respondent and they got separated. Minor child is with the custody of the third respondent/father which cannot be said that the third respondent has kidnapped the minor son, which cannot be termed as illegal detention. Therefore the petition is not maintainable.

4. In view of the same, the Habeus Corpus Petition stands dismissed. However the petitioner is at liberty to approach the appropriate court for appropriate relief in accordance with law, if so, he is advised.

[G.K.I., J.] [R.P., J.]

18.12.2025

NCC: Yes/No
Index: Yes/No
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Virudhunagar
2. The Inspector of Police
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3. The Additional Public Prosecutor
Madurai Bench of Madras High Court,
Madurai.



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and
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