



H.C.P.(MD)No.2 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 10.01.2025

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MS.JUSTICE R.POORNIMA

H.C.P.(MD)No.2 of 2025

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... Petitioner / Brother of the detenue

Vs.

1.The State of Tamil Nadu rep. by
The Superintendent of Police,
Sivagangai District,
Sivagangai.

2.The State of Tamil Nadu Rep. by
The Inspector of Police,
Karaikudi Police Station,
Sivagangai District.

3.S.Ramu

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for the issue of a Writ of Habeas Corpus, to direct the respondents 1 to 3 to produce the person or body of the detenue / petitioner's sister namely Divyadharshini aged about 16 ½ years D/o.Muruganandham before this Court and direct the third respondent to hand over the custody of the child to the petitioner.



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For Petitioner : Mr.Velmurugan

For Respondents : Mr.T.Senthil Kumar,
Additional Public Prosecutor for R1 & R2

: Mr.S.Palanivelayutham for R3

ORDER

(Order of the court was delivered by G.R.Swaminathan, J.)

Heard both sides.

2. The petitioner is the brother of the detenue. The detenue is presently with her maternal grandparents. The petitioner would allege that the detenue is not being treated properly and that she is being detained against her will. We issued notice. The detenue was produced before us. We are able to see that the detenue is quite happy and is being brought up well by her maternal grandparents. We also had an interaction with the grandmother.

3. We are satisfied that it is not a case of illegal detention. The detenue made it clear to us that she wants to continue to be only with her grandparents.



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WEB COPY 4. The Habeas Corpus Petition is dismissed.

(G.R.S. J.) & (R.P. J.)
10.01.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
rmi

To:-

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

2.The Inspector of Police,
Karaikudi Police Station,
Sivagangai District.



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G.R.SWAMINATHAN, J.
and
R.POORNIMA, J.

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