HC-KAR

NC: 2026:KHC:61799-DB
WPHC No. 108 of 2026

CNR: KAHC010727292026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 6TH DAY OF NOVEMBER, 2026

PRESENT

THE HON'BLE MRS. JUSTICE ANU SIVARAMAN

AND

THE HON'BLE MR. JUSTICE K.S.BHARATH KUMAR

WRIT PETITION (HABEAS CORPUS) NO. 108 OF 2026

BETWEEN:

MS. RENUKA DAYANAND MADIVAL
D/O MR DAYANADA S MADIVAL
W/O MR ASIF ALI
AGED ABOUT 34 YEARS
OCC. SENIOR ANALYST, DEUTSCHE BANK
R/AT NO.15/9, FLAT- 401
RAHEJA ARBOR, ST. JOHNS ROAD
OPP. LAVANYA THEATRE
SHIVAJINAGARA BANGALORE 560042

...PETITIONER

(BY SRI. RAJESH MOHANDAS, ADVOCATE)

Digitally signed by PAVITHRA N
Location: High Court of Karnataka

AND:

1. THE STATE OF KARNATAKA
   REP BY ITS ADDITIONAL CHIEF SECRETARY
   HOME DEPARTMENT, VIDHANA SOUDHA
   BENGALURU 560001

2. THE COMMISSIONER OF POLICE
   BENGALURU CITY, NO.1 INFANTRY ROAD
   BENGALURU 560001

3. THE DEPUTY COMMISSIONER OF POLICE
   ALLASNADRA YELAHANKA

BENGALURU KARNATAKA 560065

4. THE STATION HOUSE OFFICER
KOTHANUR POLICE STATION
NEW AIRPORT RD GEDDLAHALLI
RAMANNA LAYOUT KOTHANUR
BENGALURU KARNATAKA 560077

5. MR. ASIF ALI
S/O MR HAROON RASHID
AGED ABOUT 40 YEARS
OCC. SENIOR MANAGER-OPERATIONS
MR. COOPER (ROCKET MORTAGAGE)
BHARATHIYA CITY THANISANDRA
BENGALURU 560068

ALSO R/AT FLAT NO.2B 5TH FLOOR
GREEN VISTA APARTMENT
NARAYANAPUR RAJABHARAT MAIN ROAD
NEAR DASH DRONE CHECK POST
KAIKHALI KOLAKATA, WEST BENGAL 700136

…RESPONDENTS

MASTER ALI
(MINOR, AGED ABOUT 4 YEARS AND 8 MONTHS)
S/O MR ASIF ALI (RESPONDENT NO.5)
PRESENTALY WITH RESPONDENT NO.5

…DETENUE

(BY SRI. B.N.JAGADEESH, SPP-1 A/W
MS. DEEPTHI ALVA, HCGP)

THIS WPHC IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO ISSUE A WRIT OF HABEAS CORPUS DIRECTING THE RESPONDENTS NO.1 TO 4 TO TRACE MASTER AHAAN ALI, THE DETENUE, SON OF THE PETITIONER, AND TO PRODUCE HIM BEFORE THIS COURT.

THIS WPHC, COMING ON FOR ORDERS, THIS DAY, JUDGMENT WAS DELIVERD THEREIN AS UNDER:

CORAM: HON'BLE MRS. JUSTICE ANU SIVARAMAN
and
HON'BLE MR. JUSTICE K.S.BHARATH KUMAR

ORAL JUDGMENT

(PER: HON'BLE MRS. JUSTICE ANU SIVARAMAN)

Heard the learned counsel appearing for the writ petitioner as well as the learned State Public Prosecutor appearing for the respondents.

2. The prayer in this writ petition is for a writ of Habeas Corpus, directing respondents No.1 to 4 to trace the son of the writ petitioner and produce him before this Court. There is a further direction sought to respondent No.5 to hand over the custody of the detenue to the writ petitioner.

3. We notice that the writ petitioner claims to be the wife of respondent No.5 and the alleged detenue is their son. It is therefore abundantly clear that the dispute between the parties is with regard to the custody and guardianship of a minor child.

4. Though the learned counsel for the writ petitioner contends that the petitioner is unaware of the present whereabouts of the child, we notice that there is no complaint whatsoever preferred by her before the Police as evident from

the pleadings in the writ petition. We are of the opinion that since the custody of the child as at present is with his father, this is not a fit case for invoking the extraordinary original jurisdiction of this Court or for issuance of a writ of Habeas Corpus.

5. Leaving open all the contentions of the writ petitioner and a right to approach the appropriate Family Court in accordance with law, this writ petition is ***closed***.

Sd/-
(ANU SIVARAMAN)
JUDGE

Sd/-
(K.S.BHARATH KUMAR)
JUDGE

RAK,List No.: 2 Sl No.: 4