



HCP No. 537 of 2026

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-06-2026

CORAM

THE HON'BLE DR.JUSTICE ANITA SUMANTH

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

HCP No. 537 of 2026

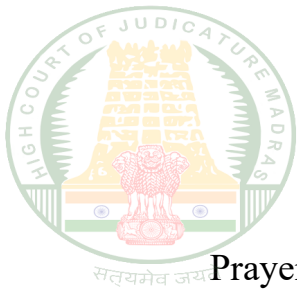
M.Manimaran
S/o Manikam,
Kanchanayakanpatti,
Kadayampatti Taluk, Salem.

...Petitioner/Father of
the minor child

Vs

1. The Superintendent of Police
Salem District.
2. The Inspector of Police,
Theevattipatti Police Station, Salem.
3. The Head Master
St, Nicholas R.C.Middle School,
R.C.Chettipatti Omallur Taluk, Salem.
4. J.Deepa
W/o Manimaran
No.30, 5th Cross, AKG Colony
K.Channasandra, Kadugodi, Bangalore
Karnataka-560067.
(3rd respondent amended and 4th respondent
impleaded as per the order of this court dated
02.04.2026 in HCP.No.537 of 2026 and
Crl.MP.Nos.6114 and 6119 of 2026)

..Respondent(s)



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Prayer : Petition filed under Article 226 of Constitution of India praying for issuance of Writ of Habeas Corpus, to direct the respondent to produce the petitioner's minor child namely Suggeth Rajan, S/o Manimaran aged about 8 years before this Court and handover the custody to the petitioner.

For Petitioner(s): M/s.S.Sengkodi

For Respondent(s): Mr.C.R.Malarvannan, (for R1 & R2)
Counsel for the Government of Tamil Nadu
(Crl.Side)

Mr.S.Subbiah, Senior Counsel
for Ms.Elizabeth Ravi (for R3)

Dr. B.Leelesh Sundram, for
M/s. Nathan and Associates (for R4)

ORDER

(Order of the Court was made by Sunder Mohan J.)

The father of an eight year old minor male child, viz., Suggeth Rajan, has filed this Habeas Corpus Petition, claiming that his son is in illegal custody of his wife, one Deepa, the 4th respondent herein. He further claimed that his wife had admitted the child without his knowledge in an Orphanage run by the 3rd respondent.

2. Pursuant to the notice issued by us, the 3rd respondent is present today.



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3. We had interacted with the 3rd respondent, the Headmaster of the school and found that the child has not been admitted in an Orphanage and is staying in the hostel run by the school. We were also informed that no tuition fee is charged and a nominal sum of Rs.500/- per month is charged towards the hostel and mess expenses of the child.

4. The wife of the petitioner/4th respondent is stated to be living with her parents in Bangalore and is employed in Bangalore. According to the learned counsel for the 4th respondent, the 4th respondent is taking care of her sick parents and because of her odd job timings, she is unable to spend quality time with the child and hence, she had admitted the child in the school run by the 3rd respondent in the best interest of the child.

5. We had also interacted with the petitioner. Admittedly, the 4th respondent and the petitioner have been living separately for more than three years, though, according to the 4th respondent, she was driven away from the matrimonial home six years ago. In any case, we do not find anything to suggest that the child is in illegal custody based on the averments made in the affidavit and on our interaction with the aforesaid persons.



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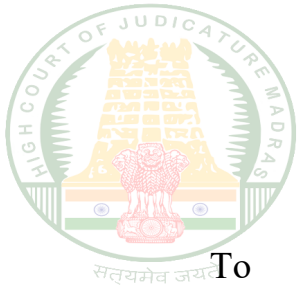
6. However, since the father is entitled to visitation, we direct the 3rd respondent to permit the father/petitioner herein to visit the child on the days when visitation is permitted by the school in the presence of the 4th respondent. The 3rd respondent shall ensure that such visitation is done in a smooth manner and should there be any violation by any person, the 3rd respondent is at liberty to seek the assistance of the local police. This arrangement of visitation shall continue for a period of three months from today. Thereafter, it is for the parties to work out their remedy in accordance with law before the appropriate Court.

7. In view of the above discussion, the Habeas Corpus Petition is closed.

(A.S.M.,J.) (S.M.,J.)
09-06-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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To

1. The Superintendent of Police
Salem District.
2. The Inspector of Police
Theevattipatti Police Station,
Salem.
3. The Head Master
St, Nicholas R.C.Middle School,
R.C.Chettipatti Omallur Taluk,
Salem.
- 4.The Joint Secretary,
Law and Order Department,
Secretariat, Chennai – 600 009.
5. The Public Prosecutor,
High Court of Madras.



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**DR.ANITA SUMANTH, J.
AND
SUNDER MOHAN, J.**

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