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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.11.2026

CORAM

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

AND

THE HON'BLE MR. JUSTICE B.KARTHIKEYAN

Case QR

HCP.No.2261 of 2026

CNR: {HCMA012606852026}

K.Vignesh

..Petitioner(s)

Vs.

1. The Commissioner of Police,
   Greater Chennai Police,
   Chennai.

2. The Inspector of Police,
   T-18 Moulivakkam Police Station,
   Chennai – 600 125.

3. Sasikala

..Respondent(s)

Prayer: Habeas Corpus Petition filed under Article 226 of the Constitution of India, seeking to issue a Writ of Habeas Corpus, directing the respondents to produce the petitioner's minor daughter, namely, Ragini alias Magizhini aged about 5 years before this Court, who was detained by the 3rd respondent and handover to the petitioner.

For Petitioner(s) : Mr.S.Jim Raj Milton

For Respondent(s) : Mr.M.Mohamed Riyaz,
Additional Public Prosecutor for R1 & R2

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ORDER

(Made by A.D.JAGADISH CHANDIRA, J.)

Alleging that his minor daughter, namely Ragini alias Magizhini, aged about 5 years, went missing and suspecting that she is in illegal custody of the 3rd respondent, the petitioner has filed the present Habeas Corpus Petition.

2. The brief facts of the case are as follows:-

2.1 The petitioner and the 3rd respondent are husband and wife and their marriage was solemnised on 14.03.2014, and they were blessed with a son and a daughter. The petitioner's son, nanely, Karikalan alias Kavin, aged about 11 years, and his daughter, Ragini alias Magizhini, aged about 5 years, are studying in the 6th standard and UKG, respectively, at St. John's Matriculation Higher Secondary School, Porur. While so, on 31.07.2026, when the petitioner went to the school to pick up his children, he was informed that his wife/the 3rd respondent had already taken their minor daughter from the school. Thereafter, when the petitioner attempted to contact the 3rd respondent over phone, there was no response, and the petitioner was unable to ascertain the whereabouts of his minor daughter.

2.2. Hence, the petitioner lodged a complaint before the 2nd respondent, pursuant to which, a case in CSR No.1164 of 2026 was registered. However, as no effective steps were taken by the respondent police to trace the petitioner's minor daughter, the petitioner has approached this Court.

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3. The 3rd respondent is present before this Court today along with the minor daughter.

4. Mr.S.Madhusudhanan, learned counsel appearing on behalf of the 3rd respondent, submitted that due to a matrimonial dispute, the 3rd respondent is living separately along with the minor daughter. He contended that this is not a case of illegal detention and, hence, this Habeas Corpus Petition is not maintainable. He further submitted that if the petitioner seeks custody of the minor daughter, he needs to approach the competent forum to work out his remedy in the manner known to law, and accordingly, prayed for the dismissal of this petition.

5. Learned Additional Public Prosecutor appearing for the 1st and 2nd respondents submitted that the 3rd respondent is none other than the mother of the minor child/missing person and that this is not a case of illegal detention.

6. In view of the above submissions made by the learned counsel appearing for the respective respondents, this Court is of the view that no further adjudication is required in this Habeas Corpus Petition.

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7. Accordingly, this Habeas Corpus Petition stands **closed**. However, it is made clear that the observations made above are only for the disposal of this Habeas Corpus Petition and shall not have any bearing on any custody proceedings that may be initiated by the petitioner before the appropriate forum.

(A.D.J.C., J.) (B.K., J.)
17.11.2026

skt

To:

1. The Commissioner of Police,
Greater Chennai Police,
Chennai.

2. The Inspector of Police,
T-18 Moulivakkam Police Station,
Chennai – 600 125.

3. The Public Prosecutor,
Madras High Court.

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AND
B.KARTHIKEYAN, J.

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