



H.C.P.(MD)No.25 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 16.02.2026

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

and

THE HONOURABLE MS.JUSTICE R.POORNIMA

H.C.P.(MD)No.25 of 2026

Eswaran

... Petitioner

-vs-

1.The Superintendent of Police
Dindigul District

2. The Inspector of Police
Dhadikombu Police Station,
Dindigul District

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus, directing the respondents herein to secure and produce the body or person of the detainee namely minor. Ananya, D/o. Eswaran aged about 1 year 6 months before this Court and hand over custody of the minor detainee to the petitioner.

For Petitioner : Mr.C.Senthil Murugan

For Respondents : Mr.R.M.Anbunithi

Additional Public Prosecutor



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ORDER

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

This Habeus Corpus Petition has been filed to direct the respondents herein to secure and produce the body or person of the detainee namely minor. Ananya, D/o. Eswaran aged about 1 year 6 months before this Court and hand over custody of the minor detainee to the petitioner.

2. The petitioner is the father of the detainee. The petitioner got married one Gandhiselvi and they were blessed with a female child/missing person. Thereafter his wife along with the minor child was missing from the matrimonial home from 29.12.2025, therefore the petitioner lodged complaint before the second respondent and the same has been registered in Crime No.447 of 2025 under "Woman and girl missing". During investigation the second respondent found that his wife along with her daughter eloped with one Thangapandi. Earlier on the same complaint a case was also registered and the said Thangapandi was convicted by the trial Court and the same was confirmed by this



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Court. The accused has filed SLP before the Hon'ble Supreme Court and he was granted suspension of sentence. At this juncture the wife of the petitioner again eloped with the said Thangapandi and her whereabouts is not known.

3. Admittedly the wife of the petitioner is major and now her and the minor child whereabouts are not known. Infact the petitioner also made statement before the second respondent that his wife already informed him about her love and also she is going along with the said Thangapani along with the minor child. In view of the same, the present petition is not maintainable and the same is liable to be dismissed.

3. Accordingly, the petition stands dismissed.

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

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Index: Yes/No

NCC: Yes/No

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To

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Dindigul District
2. The Inspector of Police
Dhadikombu Police Station,
Dindigul District
- 3.The Additional Public Prosecutor
Madurai Bench of Madras High Court,
Madurai.



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and
R.POORNIMA, J.

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