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H.C.P.(MD)NO.423 OF 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.04.2026

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MS.JUSTICE R.POORNIMA

H.C.P.(MD)No.423 of 2026

Anusuya Ayyappan

... Petitioner/Mother of the detenu

Vs.

1. State of Tamil Nadu rep. by its,
Deputy Superintendent of Police,
Bodinayakkanur,
Theni District.

2. State of Tamil Nadu rep. by its,
The Inspector of Police,
All Women police station,
Bodinayakkanur,
Theni District.

3. Chithis Kumar

... Respondents

Prayer: Habeas Corpus petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, directing the respondents 1 and 2 herein to take necessary steps to produce the body of person minors namely (1) Hasini (aged about 10 years) (2) Dhiya Shree (aged about 8 years) (3) Shasvith Pandi (aged about 6 years) from the illegal custody of the third respondent and hand over the custody to the petitioner.



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For Petitioner : Mr.S.Sundarapandian
For Respondents : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor.

* * *

ORDER

Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for Respondents 1 and 2.

2. The petitioner and the third respondent are wife and husband. Three children were born through the wedlock. All of them are presently minors. The third respondent appears to have taken away the children from the petitioner's custody. Since this is purely a matrimonial dispute, it is only just and proper that the petitioner works out her rights before the jurisdictional matrimonial Court. Granting such liberty, this habeas corpus petition is closed.

(G.R.SWAMINATHAN, J.) & (R.POORNIMA, J.)
01.04.2026

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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To:

1. The Deputy Superintendent of Police,
Bodinayakkanur,
Theni District.
2. The Inspector of Police,
All Women police station,
Bodinayakkanur,
Theni District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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