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H.C.P.No.1378 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.10.2025

C O R A M

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

AND

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

H.C.P.No.1378 of 2025

Mr.C.Babu

... Petitioner

-VS-

1. Superintendent of Police,
District Superintendent of Office,
Mayiladuthurai
and 2 Others

... Respondents

For Petitioner

: M/s.V.Mythili

For R1 & R2

: Mr.A.Gokulakrishnan

Addl. Public Prosecutor

For R3

: Mr.R.Shivakumar

For M/s.K.M.Vijayan Associates

ORDER

J.NISHA BANU,J.,

AND

S.SOUNTHAR,J.,

This Court, by way of an interim order dated 26.08.2025 passed the following order:

“3.Accordingly, there shall be a direction to the 3rd respondent to hand over the minor child forthwith to the petitioner herein. The 3rd respondent as well as his wife are at liberty to visit the child as and when they desire. This apart,



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they shall also have interim custody of the minor child on Saturday and Sunday of every week until further orders.

4. The 2nd respondent police shall ensure the compliance of this order.

5. Call the matter on 09.10.2025.”

2. Learned counsel for the 3rd respondent would contend that the 3rd respondent and his wife, being aged persons, find it difficult to visit the child as and when required and therefore, the interim custody of the child may be entrusted to them, by granting liberty to the petitioner / father to see his child as and when required. Therefore, learned counsel prays for modification in the order dated 26.08.2025. The said suggestion has been highly opposed by the learned counsel for the petitioner, stating that the child is very joyful at the hands of the petitioner, being a father / natural guardian and therefore, the interim arrangement does not require any modification at this stage.

3. At this juncture, learned Additional Public Prosecutor suggested that there is a Temple nearby Thiruvankadu Police Station and the child may be brought to the Temple and handed over to the 3rd respondent every week to avoid toiling of the child at the time of handing



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4. At this moment, we do not want to modify the order dated 26.08.2025 passed by this Court, as an interim measure and this arrangement shall continue till 04.12.2025. As suggested by the learned Additional Public Prosecutor, the petitioner shall bring the child to the Temple situated nearby Thiruvankadu Police Station and hand over the interim custody of the child to the 3rd respondent every week and vice versa.

5. The 2nd respondent police shall ensure that no untoward incident takes place between the parties in and around the Temple premises at the time of handing over the child.

List this matter on 04.12.2025.

(J.NISHA BANU,J.) (S.SOONTHAR,J.)
09.10.2025

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