

H.C.P.(MD)No.115 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 05.02.2026

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

and

THE HONOURABLE MS.JUSTICE R.POORNIMA

H.C.P.(MD)No.115 of 2026

G.S.D.Gnana Raja

... Petitioner

-vs-

1. The Superintendent of Police
Kanyakumari District @ Nagercoil

2. The Inspector of Police
Colachel Police Station,
Kanyakumari District

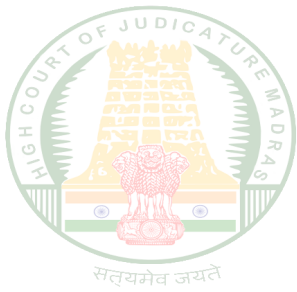
3.G.Annamalar

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus, directing the respondents 1 and 2 to produce the body or person of the detnue David Visuvasam Kalai Selvi, W/o.Gasper Raja aged about 70 years before this Court and set her at liberty.

For Petitioner : Mr.S.Sivakumar

For Respondents : Mr.R.Meenakshi Sundaram
Additional Public Prosecutor



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ORDER

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

This Habeus Corpus Petition has been filed to direct the respondents 1 and 2 to produce the body or person of the detnue David Visuvasam Kalai Selvi, W/o.Gasper Raja aged about 70 years before this Court and set her at liberty.

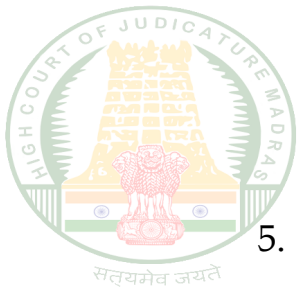
2. The petitioner is the son of the detenue. The detenue is aged about 70 years and she is retired teacher. She is missing from the house and as such the petitioner lodged complaint before the second respondent. The petitioner also suspected that the detenue is under the illegal detention at the hands of the third respondent. On receipt of the complaint the second respondent conducted enquiry and found that the third respondent is none other than the daughter of the detenue and sister of the petitioner herein. For some time the petitioner had taken care of his mother and thereafter left his mother in lurch. His mother is not taken care by the petitioner. She is now under the custody of the



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third respondent. Infact she fell ill and she is taking treatment under the care and custody of the third respondent.

3. Further the statement of the third respondent was recorded and produced before this Court by the second respondent today. A perusal of the statement reveals that the petitioner is living with another woman and he is not taking care of his mother. The mother is bedridden and she is also under bed soar. Even then the petitioner did not take care of his mother and as such the petitioner's mother is taken care by the third respondent herein. She is also providing medical treatment to her. The second respondent also produced photos showing that the detenue is taking treatment in the house of the third respondent. On one hand the petitioner failed to take care of his own mother and she is now under the custody of the third respondent who is none other than the sister of the petitioner and also provide with medical facility. On the other hand the petitioner filed complaint before the second respondent as if his mother is under illegal detention at the hand of the third respondent.



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5. In view of the same, the Habeus Corpus Petition stands

dismissed.

[G.K.I., J.]

[R.P., J.]

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Index: Yes/No

NCC: Yes/No

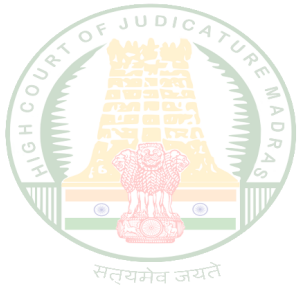
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To

1. The Superintendent of Police
Kanyakumari District @ Nagercoil

2. The Inspector of Police
Colachel Police Station,
Kanyakumari District

3. The Additional Public Prosecutor
Madurai Bench of Madras High Court,
Madurai.



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and
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