



H.C.P.(MD) No.652 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 13.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

AND

THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

H.C.P.(MD)No.652 of 2023

Nazreen Jahan

... Petitioner /wife of the
Detenue

Vs.

1.The Commissioner of Police,
Tirunelveli City,
Tirunelveli.

2.The Inspector of Police,
Melapalayam Police Station,
Tirunelveli District.

3.Abdul Kareem Samsudeen

...Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, directing the respondents 1 and 2 to produce the person or body of the detenue namely, Mohammed Musammil s/o.Abdul Kareem Samsudeen, aged about 25 years before this Court and set him at liberty.



H.C.P.(MD) No.652 of 2023

For Petitioner : Mr.S.Balakarthick

For Respondents : Mr.RMS.Sethuraman,

Additional Public Prosecutor

for R1 and R2

ORDER

(Order of the Court was made by ***R.SURESH KUMAR, J.***)

This Habeas Corpus Petition has been filed to direct the respondents 1 and 2 to produce the detenu, namely, Mohammed Musammil, son of Abdul Kareem Samsudeen, aged about 25 years before this Court and set him at liberty.

2. Today, when this Habeas Corpus Petition is taken up for hearing, the learned Additional Public Prosecutor appearing for the respondents Police has submitted that pursuant to the complaint given by one Nasrin Jahan, daughter of Mohamed Yousuf, a case had been registered at All Women Police Station, Palayamkottai in FIR No.15 of 2023 dated 06.06.2023, pursuant to which, the detenu had been arrested for the alleged offences punishable under Sections 417, 375(a), 376 and 506(1) IPC and he



H.C.P.(MD) No.652 of 2023

has been in judicial custody as of now.

WEB COPY

3. In support of his contention, he has produced a copy of the FIR for our perusal.

4. On perusal of the FIR, it discloses that a complaint has been registered for the alleged offences under the aforesaid provisions of law, pursuant to which, it seems that the detenu has been arrested by the said Police. Therefore, it cannot be stated that the detenu is in illegal custody.

5. In view of the above, by recording the same, this Habeas Corpus Petition is closed.

(R.S.K., J.) & (K.K.R.K, J.)

13.06.2023

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

ssb



H.C.P.(MD) No.652 of 2023

To

1.The Commissioner of Police,
Tirunelveli City,
Tirunelveli.

2.The Inspector of Police,
Melapalayam Police Station,
Tirunelveli District.

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



WEB COPY



H.C.P.(MD) No.652 of 2023

R.SURESH KUMAR, J.
AND
K.K.RAMAKRISHNAN, J.

ssb

H.C.P.(MD)No.652 of 2023

13.06.2023