

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 03.08.2015

CORAM

THE HONOURABLE DR.JUSTICE S.TAMILVANAN  
AND  
THE HONOURABLE MR.JUSTICE C.T.SELVAM

H.C.P. No.1038 of 2015

Haseena

... Petitioner

1.The Inspector of Police,  
Incharge of B-5 Police Station,  
Singanallur,  
Coimbatore.

2.The Commissioner of Police,  
Office of the Commissioner of Police,  
Coimbatore-18.

3.Shahnawaz (alias) Shahul Hamed

... Respondents

Habeas Corpus Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Habeas Corpus directing the respondents to produce the body or person of the petitioner's daughter Afsana, aged 14 years, before this Court and consequently set her at liberty forthwith.

For Petitioner : Mr.R.K.Sekina Reshma  
For Respondents : Mr.A.N.Thambidurai  
Addl. Public Prosecutor  
for R1 & R2  
Mr.C.R.Prasanan for R3

O R D E R

(Order of the Court was made by S.TAMILVANAN,J.)

Heard the learned counsel for the petitioner as well as the learned Additional Public Prosecutor for the respondents 1 and 2 and the learned counsel for the third respondent.

2.This petition has been filed by the petitioner, directing the respondents 1 and 2 to produce the body of petitioner's daughter Afsana, aged about 14 years, before this Court and set her at liberty.

3.The alleged detainee is secured and produced before this Court by the respondent police. On enquiry, the detainee Afsana stated that she is aged about 15 years and now she is living with her father. The petitioner is also present before this Court. The detainee Afsana stated that she is not willing to go along with her mother/the petitioner herein. In such circumstances, it is open to the petitioner to approach the appropriate forum seeking her remedy as per the procedure known to law.

4.With the above observation, this petition is dismissed.

-s/d-

Assistant Registrar(J)

dt:13/08/2015

True Copy

Sub-Assistant Registrar

kal  
To

- 1.The Inspector of Police,  
Incharge of B-5 Police Station,  
Singanallur,  
Coimbatore.
- 2.The Commissioner of Police,  
Office of the Commissioner of Police,  
Coimbatore-18.
- 3.The Public Prosecutor,  
High Court of Madras,  
Chennai 600 104.

+1 cc to MS.R.K.Sekina Reshma Advocate sr.39516  
+1 cc to Mr.C.R.Prasanan, Advocate sr.40002

H.C.P. No.1038 of 2015

gj(co)  
aa14/08/2015

WEB COPY