

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 05.06.2015

CORAM

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

H.C.P. No.1137 of 2015

Nagooran

... Petitioner

-v-

1.The Superintendent of Police
Kancheepuram District,
Kancheepuram.

2.The Deputy Superintendent of Police
Mamallapuram Range,
Kancheepuram District.

3.State rep. by
the Inspector of Police,
E4, Pudupattinam Police Station,
Kancheepuram District.

4.Aadham

... 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 herein to produce the body or person of the detinue by name Bhavani @ Meghala, Daughter of Nagooran, aged about 17 years and who is the daughter of the petitioner herein before this Court and to set her at liberty forthwith.

For Petitioner : Mr.K.Balu

For Respondents : Mr.A.N.Thambidurai
APP for R1 to R3
Mr.A.Raja Mohammed for R4

O R D E R

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

Heard the learned counsel for the petitioner as well as the learned Additional Public Prosecutor appearing for the respondents 1 to 3 and the learned counsel for the fourth respondent.

2.This petition has been filed by the petitioner/father of the detinue Bhavani @ Meghala, aged about 17 years, to cause production of his daughter before this Court and to set her at liberty.

3.The alleged detenue is secured and produced before this Court by the respondent police.

4.On enquiry, the detenue told us that she is voluntarily converted herself to Islam Religion and married the fourth respondent-Aadham, Son of Ebrahim and is living as husband and wife and she is not willing to go along with the petitioner. According to her, there is no illegal detention by anybody. We also enquired the fourth respondent that he is also submitted the very same fact. Further, the alleged detenue has filed an affidavit, wherein, the name of the detenue is stated as N.Megala @ Nasrin. After converting to Islam, she has changed her name as Megala @ Nasrin, for which, she has also produced a xerox of Transfer Certificate of 10th Standard and a copy of Nikkah (Marriage) Certificate issued by Quaide Millath Masjid.

5.Having considered the facts and circumstances and the alleged detenue had voluntarily converted to Islam and married the fourth respondent and living as husband and wife and that there is no illegal detention by anybody, invoking the provisions of Article 226 of the Constitution is not at all sustainable.

6.Having recorded the affidavit filed by the alleged detenue, we find just and reasonable to close this petition. Accordingly, this petition is closed as nothing further remains to be considered in this petition.

Sd/-

Assistant Registrar

True Copy

Sub Assistant Registrar

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To

1.The Superintendent of Police
Kancheepuram District,
Kancheepuram.

2.The Deputy Superintendent of Police
Mamallapuram Range,
Kancheepuram District.

3.The Inspector of Police,
E4, Pudupattinam Police Station,
Kancheepuram District.

4.The Public Prosecutor,
High Court of Madras,
Chennai 600 104.

1 cc to Mr.A.Raja , Advocate Sr.No.27621