



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: **18.08.2015**

CORAM:

THE HONOURABLE MR.JUSTICE S.NAGAMUTHU
and
THE HONOURABLE MR.JUSTICE V.S.RAVI

H.C.P (MD) No. 837 of 2015

Mohamed Rafeek

.. Petitioner

Vs.

1.The Director General of Police,
South Zone, Madurai.

2.The Superintendent of Police,
Ramanathapuram District.
Ramanathapuram.

3.The Deputy Superintendent of Police,
Ramanathapuram District.
Ramanathapuram.

4.The Inspector of Police,
Kenikarai Police Station,
Ramanathapuram Taluk & District.

5.Vinoth

6.Syed Ibrahim

7.Mani

8.Santhi

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Habeas Corpus, praying for a direction to the respondents police to secure and to produce the person or body of the detenu namely Minor Mufrijah, daughter of Mohamed Rafeek, aged about 7 years before this Court and hand over the custody to the petitioner.

For Petitioner

: Mr.J.M.Hassanil Bazari

For R1 to R4

: Mr.K.S.Duraipandian

Additional Public Prosecutor

For R5

: Mr. M.Saravanan

For R6

: Mr.D.Anbarasan

For R7 and R8

: No Appearance

O R D E R



The petitioner is the father of one Mufrijah, aged about 7 years. According to the petitioner, the child Mufrijah is in the custody of his wife Mrs.Sahura. In this regard, the petitioner has come up with this Habeas Corpus Petition.

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2. We have heard the learned counsel appearing for the petitioner, the learned Additional Public Prosecutor appearing for the respondents and we have also perused the records carefully.

3. The learned counsel for the petitioner would submit that Mrs.Sahura has not been impleaded as a party in this Habeas Corpus Petition. The respondents 5 to 8, according to the petitioner, has helped Sahura to take the child.

4. Having regard to the fact that the child is with the mother, who herself is not a party to this petition, the Habeas Corpus Petition is dismissed.

Sd/-

Assistant Registrar (RTI)

/True Copy/

Sub Assistant Registrar

PJL/RR

To

1.The Director General of Police,
South Zone, Madurai.

2.The Superintendent of Police,
Ramanathapuram District.
Ramanathapuram.

3.The Deputy Superintendent of Police,
Ramanathapuram District.
Ramanathapuram.

4.The Inspector of Police,
Kenikarai Police Station,
Ramanathapuram Taluk & District.

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

+1CC to Mr.R.J.Karthick ADV.SR. No.47457

+1CC to Mr.J.M.Hassanul Bazari

GJM/DP-JAP/1.19.15-2P-8C

ORDER MADE IN
H.C.P (MD) No.837 of 2015
18.08.2015