



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
DATED : 14.07.2015

CORAM:

THE HONOURABLE MR.JUSTICE A.SELVAM  
and  
THE HONOURABLE MR.JUSTICE V.S.RAVI

HABEAS CORPUS PETITION(MD)No.890 of 2015

Abdul Razak .. Petitioner

Vs.

1.The Superintendent of Police,  
Pudukkottai District, Pudukkottai.

2.The Deputy Superintendent of Police,  
Aranthangi, Pudukkottai District.

3.The Inspector of Police,  
Keeramangalam Police Station,  
Pudukkottai District.

4.A.M.Kamarudeen

5.K.Barakath Ayni .. Respondents

Prayer:- Habeas Corpus Petition is filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus directing the respondents 1 to 3 to produce the body or person of the petitioner's grand daughter namely Tawfiqa aged four years, daughter of A.R.Zahir Hussain and hand over the custody to the petitioner before this Court and pass such further or other orders.

For Petitioner : Mr.K.Chengiz Khan

For RR 1 to 3 : Mr.T.Mohan  
Additional Public Prosecutor

For R - 4 : No appearance

For R - 5 : Mr.S.Mohammad Kasim

ORDER

(Order of the Court was made by A.SELVAM, J)

This Habeas Corpus Petition has been filed under Article 226 of the Constitution of India praying to direct the respondents 1 to 3 to trace out and produce the detenu by name Tawfiqa aged four years, daughter of A.R.Zahir Hussain and grand daughter of the petitioner.



2. The petitioner is present and he has been identified by his counsel.

3. The third respondent viz., Inspector of Police, Keeramangalam Police Station has produced the detenu and she has been identified by the petitioner.

4. In the instant case, the fifth respondent by name Barakath Ayni is the mother of the detenu and now the detenu is under the care and custody of the fifth respondent.

5. Considering the aforesaid factual circumstances, the custody of the detenu under fifth respondent cannot be treated as illegal. If at all the petitioner wants to take the custody of the detenu, he can institute separate proceedings. With the above observation, this Habeas Corpus Petition is liable to be disposed of.

6. In fine, this Habeas Corpus Petition is disposed of on the basis of the observation made earlier.

Sd/-

Assistant Registrar(RTI)

/TRUE COPY/

Sub Assistant Registrar

To

1.The Superintendent of Police,  
Pudukkottai District, Pudukkottai.

2.The Deputy Superintendent of Police,  
Aranthangi, Pudukkottai District.

3.The Inspector of Police,  
Keeramangalam Police Station, Pudukkottai District.

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

PS

GCS/27/07/2015/2P/5C

ORDER MADE IN  
H.C.P(MD)No.890 of 2015

14.07.2015