

In the High Court of Judicature at Madras

Dated: 04.01.2016

Coram

The Honourable Mr.JUSTICE R.SUDHAKAR
and
The Honourable Mr.JUSTICE P.N.PRAKASH

Habeas Corpus Petition No.2941 of 2015

B.Sameem Ansari

...Petitioner

Vs.

1. The Commissioner of Police,
Greater Chennai, Vepery,
Chennai - 600 006.
2. The Assistant Commissioner of Police,
SRMC Range, Chennai - 600 116.
3. The Sub-Inspector of Police,
T-14, Mangadu Police Station,
Chennai - 600 122.

...Respondents

PETITION under Section 226 of The Constitution of India praying for the issuance of Writ of Habeas Corpus directing the respondents to produce the body and person of the petitioner's missing girl child, by name, Minor Barkath Nisha, aged about 16 years before this Court and set her at liberty.

For Petitioner : Mr.C.Rajaguru

For Respondents : Mr.A.N.Thambidurai
Addl. Public Prosecutor (Crl.Side)

O R D E R
(Order of the Court was made by P.N.PRAKASH,J.)

This Habeas Corpus Petition is filed by the father of the detainee Barkath Nisha for a direction to the respondents to produce the detainee before this Court and set her at liberty.

3. It is the case of the petitioner that his daughter Barkath Nisha went missing on 15.09.2015, in connection with which a case in Crime No.974 of 2015 has been registered for girl missing.

4. Today, the detainee Barkath Nisha is produced before this Court by the Inspector of Police, T14 Mangadu Police Station, Chennai. On enquiry, she states that since her parents were taunting her, she had gone to her Aunt's house on her own volition and that she is willing to go back to her parents on condition that they should allow her to pursue her studies and should not force her to marry.

5. The petitioner and his wife are also present before this Court. They undertake that they will not harass her and allow her to pursue her studies. They have also filed an undertaking stating as follows:

"3. I State that myself and my family members will not harass my daughter Barkath Nisha physically as well as mentally and also we will not make compulsion to my daughter to marriage anybody without her willing and consent."

6. Recording the above statements, this Habeas Corpus Petition stands closed. The detainee Barkath Nisha is handed over to the petitioner and his wife.

sd/-
Assistant Registrar(Cs-III)

/TRUE COPY/

Sub-Assistant Registrar

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To

1. The Commissioner of Police, Greater Chennai, Vepery, Chennai - 600 006.
2. The Assistant Commissioner of Police, SRMC Range, Chennai - 600 116.
3. The Sub-Inspector of Police, T-14, Mangadu Police Station, Chennai - 600 122.
4. The Public Prosecutor, High Court, Madras.

H.C.P.No.2941 of 2015

CO-AD
JD 19/01/2016