

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :: 27-06-2016

CORAM

THE HONOURABLE MR.JUSTICE S.NAGAMUTHU

AND

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

H.C.P.No.1173 of 2016

Mr.A.Mohammed Batcha ... Petitioner

-vs-

1.The Superintendent of Police,
District Police Office,
Nagapattinam District.

2.The Inspector of Police,
Kuthalam Police Station,
Nagapattinam District.

3.Sethu @ Logagesh Varma Respondents

Petition under Article 226 of the Constitution of India, praying for issuance of a writ of Habeas Corpus, directing the respondents to produce the detainee Nowshath Banu, aged 21 years, before this Hon'ble Court and set her at liberty.

For petitioner : Mr.A.Raja Mohamed

For respondents 1 & 2 : Mr.V.M.R.Rajendran,
Additional Public Prosecutor.

O R D E R

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

The petitioner is the father of one Nowshath Banu, aged about 22 years. According to the petitioner, her daughter, namely, the detainee, has been detained by the third respondent illegally. Therefore, he has come up with this Habeas Corpus Petition.

2. Today, when the Habeas Corpus Petition was taken up in the Special List, the detinue was produced by the second respondent. The third respondent also made appearance. The detinue submitted to this Court that she has married the third respondent on her own volition and she has been living with the third respondent as his wife. The third respondent would submit that he has converted to Islam and has married the detinue and, thus, they are living together happily.

3. Learned counsel for the petitioner would submit that the petitioner could not be present today, as the case was not listed in the main list.

4. Having regard to the submissions made by the detinue and the third respondent, we find that there is no illegal detention and, therefore, no further orders are required in the matter, as prayed for. Habeas Corpus Petition is, therefore, dismissed, leaving it open for the detinue to choose her own way of life.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To

1.The Superintendent of Police,
District Police Office,
Nagapattinam District.

2.The Inspector of Police,
Kuthalam Police Station,
Nagapattinam District.

3.The Public Prosecutor,
High Court, Madras.

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