

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.12.2016

CORAM

THE HON'BLE MR.JUSTICE M.JAICHANDREN
and
THE HON'BLE MR.JUSTICE T.MATHIVANAN

H.C.P.No.2592 of 2016

M.Delhi Babu .. Petitioner

Vs

1.The Inspector of Police,
Bagayam Police Station,
Vellore District.

2.Aslam. .. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying to issue a WRIT OF HABEAS CORPUS, to produce the fiancée Yasmin Banu, daughter of Ubayathulla, aged about 25 years, before this court and to set her at liberty.

For Petitioner : Mr.S.N.Arunkumar

For Respondents: Mr.V.M.R.Rajentran, APP for R-1

ORDER

[Order of the Court was made by M.JAICHANDREN,J]

Heard the learned counsel appearing on behalf of the petitioner, as well as the learned Additional Public Prosecutor appearing on behalf of the first respondent.

2 This Habeas Corpus Petition has been filed by the petitioner, praying that this Court may be pleased to issue a direction to the first respondent to produce the detainee, namely, Yasmin Banu, daughter of Ubayathulla, aged about 25 years, before this Court and to set her at liberty.

3 The petitioner has stated that the detainee is his fiancée and that, she has been illegally detained by the second respondent, who is the maternal uncle of the detainee, against her will.

4 When the detenue had been produced before this Court, by the first respondent police, on 14.12.2016, the detenue had stated that she would like to go along with the petitioner. However, as the petitioner was not present in Court, the detenue had been sent to the Government Women's Home, Kutcheri Road, Mylapore, Chennai, with her consent, to be produced before this Court, today.

5 Today, when the matter has come up for further hearing, the detenue had clearly stated that she would like to go along with the petitioner. The detenue had also stated that she has been confined in her house, by her family members, against her wishes.

6 In such circumstances, this Court is of the considered view that since the detenue is aged about 25 years, it is appropriate to permit the detenue to go along with the petitioner, as per her wish. Accordingly, the detenue, Yasmin Banu, is permitted to go along with the petitioner, as per her wish. Since the detenue had expressed the apprehension that she may be harmed by the members of her family, the first respondent police is directed to give her and the petitioner sufficient police protection, if such a request is made by them. No further orders are necessary in the Habeas Corpus Petition. Accordingly, the Habeas Corpus Petition stands closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

vvk

To

1.The Inspector of Police,
Bagayam Police Station,
Vellore District.]

2.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.Arun Kumar, Advocate, S.R.No.73328

KGK(CO)
RS(18/01/2017)

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