

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 4-4-2016

CORAM

THE HONOURABLE MR.JUSTICE M.JAICHANDREN
and
THE HONOURABLE MR. JUSTICE S. NAGAMUTHU

H.C.P.No.318 of 2016

Saheetha BagamPetitioner/Mother of the detenue

vs.

The Inspector of Police,
Mannargudi Town Police Station,
Mannargudi. Respondent

Prayer:- Habeas Corpus Petition filed under Article 226 of the Constitution of India praying for the issuance of Writ of Habeas Corpus directing the respondent to produce the detenue Noorul Ian F/A-20, years, Daughter of Jafarullah before this Court and set her at liberty.

For Petitioner : Mr.K.S.Kaviarasu
For Respondent : Mr.V.M.R.Rajentren,
Addl. Public Prosecutor

O R D E R

(Order of the Court was made by M.JAICHANDREN, J.)

This Habeas Corpus Petition has been filed praying to issue a Writ of Habeas Corpus directing the respondent to produce the detenue Noorul Ian before this Court, and set her at liberty.

2. The petitioner has stated that her daughter Noorul Ian, the detenue herein, is in the custody of one Keerthi, who is working as a Supervisor in Thoothukudi Power Plant, Thoothukudi. She had claimed that the detenue went missing from 8.9.2015, and therefore, the petitioner had lodged a complaint before the respondent, on 9.9.2015, and the said complaint has been registered, in Crime No.871 of 2015, as woman missing case.

Thereafter, as no effective steps have been taken by the respondent to trace the detainee, the petitioner has filed the present petition before this Court.

3. Today, when the matter came up for hearing, the respondent Police produced the detainee before this Court. The mother of the detainee, the petitioner herein, was also present. On enquiry, the detainee had submitted that, on 9.9.2015, she had married Keerthi, aged about 25 years, who is working as a Supervisor in Thoothukudi Power Plant, Thoothukudi. She had further stated that she would like to live with Keerthi, who is her husband. On enquiry, the petitioner had submitted that she has accepted the marriage, and that the detainee can live with Keerthi, as per her wish. In such circumstances, no further order is required in this habeas corpus petition and hence this petition is closed.

4. Before parting with this case, we are expressing our concern about the marriages being registered by Notary Public. In the present case, a marriage agreement has been placed before this Court, attested by Mr.G.Antony Fernando, Notary, Tuticorin. In spite of several orders having been passed stating that such attestations by Notaries are not acceptable, the said practice is being continued. Hence, the Registry is directed to issue notice to Mr.G.Antony Fernando, Notary, Tuticorin, asking him to be present before this Court, on 18.4.2016, to submit his explanation in this regard. For the said purpose, list the matter on 18.4.2016.

Sd/-

Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

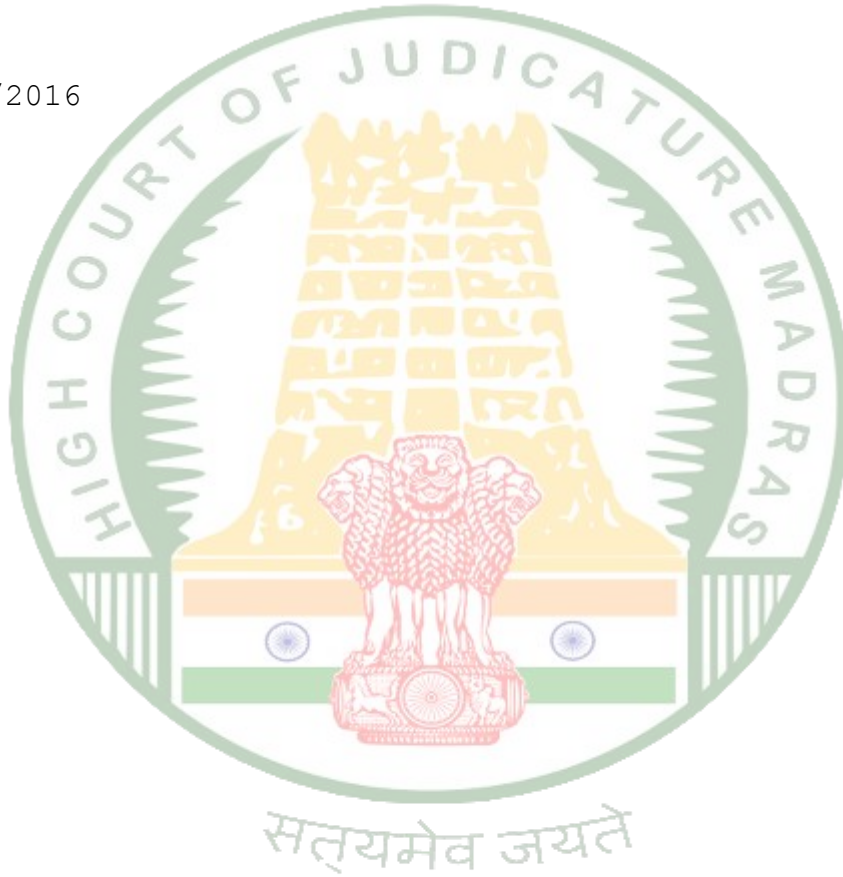
To

1. The Inspector of Police, Mannargudi Town Police Station, Mannargudi.
2. The Public Prosecutor,
High Court,
Madras.

3. Mr.Antony fernando, Notary /Advocate,
Tuticorin District Court Bar Association,
to be served thro'
The Principal District Judge,
Tuticorin.

H.C.P.No.318 of 2016

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