



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.02.2016

CORAM:

THE HONOURABLE MR.JUSTICE A.SELVAM

and

THE HONOURABLE MR.JUSTICE G.CHOCKALINGAM

HABEAS CORPUS PETITION (MD) No.161 of 2016

Raseetha

.. Petitioner

Vs.

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

2.The Inspector of Police,
Nainarkovil Police Station,
Nainarkovil, Paramakudi Taluk,
Ramanathapuram District.

3.Ayisha Beevi

4.Raja Siddique Ali

5.Abdul Latif

.. 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 and 2 to produce the body or person of the detenu namely Kabir Nisha, D/o.Peer Mohammed, aged about 16 years, before this Court and to handover her to the custody of the petitioner and pass such further or other orders.

For Petitioner

: Mr.M.S.Jeyakarthik

For RR 1 & 2

: Mr.K.S.Duraipandian

Additional Public Prosecutor

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 and 2 to trace out and produce the detenu by name Kabir Nisha, daughter of Peer Mohammed, aged 16 years.

2. It is averred in the petition that the petitioner is the third wife of Peer Mohammed, who is none other than the father of the detenu. Further, it is averred in the petition that the third respondent by name Ayisha Beevi, aunt of the detenu, has illegally



detained her. Under the said circumstances, the present petition has been filed for getting the relief sought therein.

3. The second respondent viz., Inspector of Police, Nainarkovil Police Station has produced the detenu. The petitioner is present. The father of the detenu by name Peer Mohammed is also present. The detenu is not willing to go with her father. But she expressed her willingness to go with the third respondent.

4. Considering the relationship between the detenu and third respondent and also considering that she is not willing to go with her father, this Court is of the view to lodge the detenu in a Home as stated infra.

"The detenu is ordered to be housed in Vidiyal Home, No.21, Kennet Nagar, Muthupatti East, Near Palanganatham, Madurai - 625 003 till she attains majority. During interregnum period, if there is any change in the mind of the detenu, liberty is given to file fresh petition."

5. In fine, this Habeas Corpus Petition is disposed of.

Sd/-

Assistant Registrar (AS)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police, Ramanathapuram District, Ramanathapuram.
2. The Inspector of Police, Nainarkovil Police Station, Nainarkovil, Paramakudi Taluk, Ramanathapuram District.
3. The Person-in-Charge, Vidiyal Home, No.21, Kennet Nagar, Muthupatti East, Near Palanganatham, Madurai - 625 003
4. The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.

akm/10.02.2016/2p-5c/jgb/dp/SAR-I