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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.02.2016

CORAM:

THE HONOURABLE MR.JUSTICE A.SELVAM

and

THE HONOURABLE MR.JUSTICE G.CHOCKALINGAM

HABEAS CORPUS PETITION (MD) No.252 of 2016

O.S.Bazeer

.. Petitioner

Vs.

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

2.The Inspector of Police,
Melapalaiyam Police Station,
Tirunelveli District.

.. Respondents

Prayer:- Habeas Corpus Petition is filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus directing the second respondent to produce the body or person of the petitioner's son namely Mohammed Mohideen, son of O.S.Bazeer, aged 26 years before this Court and set him at liberty and pass such further or other orders.

For Petitioner : Mr.M.Subash Babu

For Respondents : 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 & 2 to trace out and produce the detenu by name Mohammed Mohideen, aged 26 years, son of the petitioner.

2. The learned Additional Public Prosecutor has represented that the detenu has abducted one Ramalakshmi, daughter of Murugan and the said Murugan has given a complaint against the detenu on 03.02.2016 and the same has been registered in Crime No.178 of 2016 under Section 366(A) of the Indian Penal Code.



3. Considering the fact that the detenu has abducted the said Ramalakshmi, this Court is of the view that he is not under the illegal custody of anybody and therefore the relief sought in the petition cannot be granted.

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4. In fine, this Habeas Corpus Petition is dismissed.

Sd/-

Assistant Registrar(C.O Dept I/C)

/True Copy/

Sub-Assistant Registrar

To

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

2.The Inspector of Police,
Melapalaiyam Police Station,
Tirunelveli District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ps

RL/4C/JGB/DP/8/3/2016

ORDER MADE IN
H.C.P (MD) No.252 of 2016

29.02.2016