

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 22.03.2017

CORAM

THE HONOURABLE MR. JUSTICE S.NAGAMUTHU  
and  
THE HONOURABLE DR.JUSTICE ANITA SUMANTH

H.C.P No.441 of 2017

Y.M. Abdul Munaaf

.. Petitioner

Vs

1. State rep by  
The Inspector of Police,  
Madhurandagam,  
Kanchipuram District

2. The Superintendent of Police,  
Kanchipuram District

3. Ajmatulla Khan Pathan,  
605, Janki Tower, Kalwa,  
Thane, Maharashtra

4. Shakila

... Respondents

Habeas Corpus Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus of any other writ of direction to direct the respondents to produce the body of the petitioner's son by name A.M. Mohamed Haneef before this Court and hand over the custody of the petitioner's son to the petitioner.

For Petitioner : Mr.N. Ganeshmurthy

For respondents : Mr.V.M.R. Rajentren  
Addl. Public Prosecutor

ORDER

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

The petitioner is the father of the detenu A.M. Mohamed Haneef, aged 37 years. The fourth respondent is the wife of A.M. Mohamed Haneef and the third respondent is the father-in-law of A.M. Mohamed Haneef. The marriage between A.M. Mohamed Haneef and the fourth respondent took place on 02.09.2012. From this onwards, he was residing in Mumbai with the fourth respondent. Then he visited abroad. The grievance of the

petitioner is that on one occasion, the detenu spoke to him over phone and informed that he did not have valid travel document to remain in foreign country. But he did not return and there is no word from him. In these circumstances, the petitioner has come up with the present peittion.

2. From the averments made in the affidavit, filed in support of the petition, it is clear that there is no illegal detention at all. The detenu had gone abroad on account of some job. That has been reiterated to the petitioner by the fourth respondent also. In such view of the matter, we find there is no illegal detention. Hence we are unable to grant any relief to the petitioner. The Habeas Corpus Petition is dismissed.

Sd/-  
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

sr/av

To

1. The Inspector of Police,  
Madhurandagam,  
Kanchipuram District
2. The Superintendent of Police,  
Kanchipuram District
- 3.The Public Prosecutor,  
High Court, Chennai.

+ 1 cc to Mr.N.Ganeshmurthy, Advocate SR.18023

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GJII(CO)  
Eu 13.4.17

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