



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.11.2017

CORAM:

WEB COPY

**THE HONOURABLE MR.JUSTICE R.SUBBIAH
AND
THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA**

H.C.P. (MD) No.1679 of 2017

M.Mohammed Thaver Ali

: Petitioner

Vs.

1. The Commissioner of Police,
Trichy City,
Trichy.

2. The Assistant Commissioner of Police,
Fort Circle, Trichy.

3. The Inspector of Police,
Fort Police Station,
Trichy.

4. N.Mumthaj

5. Ahamed Maidheen

: Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India praying for the issue of a Writ of Habeas Corpus, to direct the 1st to 3rd respondents to produce the body and person of the petitioner's wife namely, Rishvana, D/o.N.Mumthaj aged about 21 years before this Court and set her at liberty.

For Petitioner : Mr.C.M.Arumugam

For Respondents : Mr.C.Ramesh for R1 to R3
Additional Public Prosecutor
Mr.S.M.A.Jinnah for R4 & R5

ORDER

[Order of the Court was made by R.SUBBIAH, J]

This petition has been filed by the petitioner alleging that the detenu, viz., Rishvana, D/o.Mumthaj, aged 21 years, is his wife. It is further alleged that the detenu and the petitioner got married on 15.10.2017. While so, she went to her parental home and thereafter, she did not return. Therefore, the petitioner gave a complaint to the respondent police. Since no effective steps were

taken, he is before this Court.

2.Today, when the matter was taken up for consideration, the detenu has been produced by the respondent police. When we enquired, she has stated that she is not under the illegal custody of anyone and she denied the marriage with the petitioner and stated that the present petition has been filed with false allegations. She has further stated that she is with her mother. She has expressed her willingness to go with her mother Nagoorammal.

3.The mother of the detenu has also been enquired. She has stated that her actual name is Nagoorammal and her name has been wrongly given in the petition as Mumtaj and she has reiterated the allegations made by the detenu.

4. In view of the willingness expressed by the detenu to go along with her mother, nothing survives for adjudication in this petition. Accordingly, this Habeas Corpus Petition is closed.

Sd/-

Assistant Registrar (Crl.side)

/True Copy/

Sub Assistant Registrar

To

1. The Commissioner of Police,
Trichy City, Trichy.
2. The Assistant Commissioner of Police,
Fort Circle, Trichy.
3. The Inspector of Police,
Fort Police Station, Trichy.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

RR

TE/MR/SAR-1 : 08/01/2018 : 2P/5C

Order made in
H.C.P. (MD) No.1679 of 2017
Dated: 24.11.2017