

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 24.07.2018

CORAM

THE HONOURABLE DR. JUSTICE S.VIMALA
AND
THE HONOURABLE MRS. JUSTICE S.RAMATHILAGAM

H.C.P. NO. 1444 OF 2018

S.Abdul Hug

.. Petitioner

- Vs -

1. The Inspector of Police
Mannargudi Town Police Station
Thiruvarur District 614 001.

2. G.Manokaran

.. Respondents

Petition filed under Article 226 of the Constitution of India praying this Court to issue a writ of habeas corpus directing the 1st respondent police to produce the body of the detinue, viz., Sharifa Beevi @ Elakkiya, aged 27 years, from the custody of the 2nd respondent, produce her before this Hon'ble Court and set her at liberty.

For Petitioner : Mr. K.Ezhumalai

For Respondents: Mr. R.Prathap Kumar, APP for R-1

ORDER

(DELIVERED BY DR. S.VIMALA, J.)

The petitioner, claiming that he is the husband of the detinue, seeks a direction on the 1st respondent to produce the detinue before this Court from the custody of the 2nd respondent.

2. It is stated by the petitioner that Elakkiya, called Sherifa Beevi, aged 27 years, married the petitioner herein on 22.6.18. It is further alleged that thereafter, he was not able to meet his wife and his wife, viz., the detinue, is stated to be in danger at the hands of the 2nd respondent.

3. When the matter is taken up, learned Addl. Public Prosecutor brought to the notice of this Court that though the detinue married the petitioner on 22.6.18, however, she was secured and produced before the concerned jurisdictional Magistrate on 24.6.18. Further, the detinue has stated before

the Magistrate that she is inclined to go with her father and not with the petitioner herein. The said statement of the detenue was recorded and she was set at liberty. The above statement of the learned Addl. Public Prosecutor is recorded.

4. In the light of the above stated facts, the remedy open to the petitioner is to file necessary application before the Family Court or any other appropriate forum. Nothing further survives for consideration in this petition and, accordingly, this habeas corpus petition is closed.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

GLN

To

1. The Inspector of Police
Mannargudi Town Police Station
Thiruvarur District 614 001.

2.The Public Prosecutor,
High Court, Madras.

+lcc to Mr.H.Thameen Ansari, Advocate sr.no.49467

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