



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 25.01.2018

Coram :-

THE HON'BLE DR.JUSTICE S.VIMALA

and

THE HON'BLE MRS.JUSTICE T.KRISHNAVALLI

Habeas Corpus Petition No.97 of 2018

S.Mohammed Rafiudeen

... Petitioner

-VS-

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

2.The Inspector of Police,
North Police Station,
Dindigul District, Dindigul

3.Shahul Hammed

... Respondents

Prayer: Habeas Corpus Petition is filed under Article 226 of Constitution of India, seeking a direction to the respondents 1 and 2 to produce the detenu, namely, Gousiarefathtara, D/o.Majeeth, W/o.Mohammed Rafiudeen, aged about 23 years, before this Honourable Court and set her at liberty.

For Petitioner	: Mr.V.Karuna
For R1 & R2	: Mr.C.Ramesh
	Addl. Public Prosecutor
For Detenu	: Mr.C.M.Arumugam

O R D E R

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

The petitioner, claiming himself to be the husband of the detenu, has filed this petition, seeking direction to the respondents 1 and 2 to produce her wife/detenu, namely, Gousiarefathtara, D/o.Majeeth, aged about 23 years, before this Court and set her at liberty.

2. According to the petitioner, he has been working as a Teacher in Dindigul District and the detenu is a Dental Doctor, working in the same District. It is stated that both met each other and got married on 30.04.2017 before the Tamil Nadu Muslim Munnetra



Kazhagam at Dindigul. A marriage certificate dated 30.04.2017, purported to have been issued by the said Tamil Nadu Muslim Munnetra Kazhagam at Dindigul is annexed in the typeset of papers. It is alleged that after their marriage, the detenu went to her parental home to inform about her marriage, but did not return. When the petitioner enquired about her whereabouts with the parents of the detenu, he was threatened. Therefore, he preferred a complaint with the respondents 1 & 2 for production of his wife and since no effective steps were taken by the Police, he is before this Court, seeking for the above direction.

3. The learned Additional Public Prosecutor has produced the detenu, namely, Gousiarefathtara before this Court with the help of Police. The mother of the detenu is also present in this Court.

4. On being enquired with the detenu, she has stated that she has not been abducted by anyone and she had voluntarily gone to her parental home. She has further stated that at present, she is not inclined to go with the petitioner and has expressed her willingness to accompany her mother.

5. Considering the fact that the detenu is major having attained the age of 23 years and also the fact that she is desirous to accompany her mother, she is set at liberty to act as per her own wish.

6. The Habeas Corpus Petition stands closed accordingly.

Sd/-

Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar

To

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

2.The Inspector of Police,
North Police Station,
Dindigul Distrikt,Dindigul.

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

+1cc to M/S.V.KARUNA, Advocate SR.No.44394.

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