



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 30.05.2019

Coram:

THE HON'BLE MR.JUSTICE N.SATHISH KUMAR
and
THE HON'BLE MS.JUSTICE P.T. ASHA

H.C.P.No.628 of 2019

S. Nizarudeen

... Petitioner

Vs.

- 1.The State rep.by
The Superintendent of Police,
Coimbatore District.
- 2.The Deputy Superintendent of Police
Coimbatore District
- 3.The Inspector of Police,
Mettupalayam Police Station,
Coimbatore District.
4. Tajudden
5. The Superintendent of Prisons
Central Prison, Salem

...Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, directing the 3rd Respondent/Police to produce the body of my sister Ansar Nisha D/o AK.Sahabudheen aged about 21 years under illegal custody of 4th Respondent before this Court and set her at liberty forthwith.

For Petitioner : Mr.B. Harikrishnan

For Respondents : Mr.M. Vijayaraghavan
for Mr.G.Ponnambala Thiyagarajan
[for R4]

Mrs.P.Kritika Kamal
Government Advocate (Crl.Side)
[for R1 to R3 and R5]



(Order of the Court was made by N. SATHISH KUMAR, J)

4. Since the detainee has already set at liberty by the Honourable Supreme Court and she is aged about 22 years, we are not proposed to go in detail about the affidavit filed by her before the Honourable Supreme Court. Since the detainee Ansar



Nisha is a major, she is resolute to take decision on her own with whom she will stay. Accordingly, the Habeas Corpus Petition is closed.

5. During the interaction we found that the detinue is apprehensive about the relatives of the 4th Respondent, who is presently undergoing life sentence. In view of the same, the Superintendent of Police, Coimbatore is directed to give necessary police protection in the event of any threat to the life of the detinue.

6. The learned Government Advocate (Crl.Side) also made a statement before us that even the detinue was produced from the Home today, some unknown persons were followed and many of them were said to be the relatives of the 4th Respondent. In view of the same, we are directed the Sub-Inspector of Police, Mettupalayam, shall escort her along with their family members.

s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

To

1. The Superintendent of Police,
Coimbatore District.

2. The Deputy Superintendent of Police
Coimbatore District

3. The Inspector of Police,
Mettupalayam Police Station,
Coimbatore District.

4. The Superintendent of Prisons
Central Prison, Salem

5. The Officer in charge, Madras Christian Council Social
Service,
No.21, 6th Main Road, Jawahar Nagar, Perambur, Chennai.

6. The Public Prosecutor, Madras High Court,
Chennai.

+1 CC to Mr.B.Harikrishnan, Advocate sr 44412.

+1 CC to Mr.G.Ponnambala Thiyagarajan, Advocate sr 44404.

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SP(30/05/2019)