

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :01.04.2019

CORAM:

THE HONOURABLE Mr.JUSTICE M.SATHYANARAYANAN
and
THE HONOURABLE Mr.JUSTICE M.NIRMAL KUMAR

H.C.P.No.2097 of 2018

Shaik Ahmed

.. Petitioner

Vs.

1. The Superintendent of Police
Kanchipuram
Kanchipuram District.

2. The Inspector of Police
E-8, Kelambakkam Police Station
Chennai.

3. Singaravelu

.. Respondents

Prayer : Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Habeas Corpus, directing the second respondent to produce the detainee Harfia Jabina.S., F/A 19 years, D/o.Shaik Ahmed before this Court, from illegal custody of the third respondent and set her at liberty.

For Petitioner .. Mr. K.S.Raju

For Respondents .. Mr.C.Iyyappa Raj
Additional Public Prosecutor

ORDER

(Order of the Court was made by M.SATHYANARAYANAN, J)

This matter is not listed today in the regular list, but, by way of mentioning, it is taken up for hearing, for the reason that the detainee is produced before the Court.

2. The petitioner, who is the father of the detainee, namely Ms.Harfia Jabina, aged 19 years [DOB : 24.09.1998], alleging illegal detention and custody of his daughter, at the hands of the third respondent, came forward to file Habeas Corpus Petition.

3. The learned counsel appearing for the petitioner would submit that the detainee is studying second year B.A., English Literature at Prof.Dhanapalan College of Arts & Science, Kelambakkam, Chennai-102, and she has been brain-washed and lured by the words of the third respondent, and without aware of the consequences she would face in the company of the third respondent, the detainee went along with him, and however, on her own volition, she had returned home and informed her father that she was rescued, and at present, the detainee is under the care and custody of her parents.

4. The detainee and her father are present before this Court, and on enquiry, the detainee would state that she does not know the antecedents of the third respondent and lured by his sweet words and promises, she went along with him, and she was taken to some place near Andhra Pradesh, and thereafter she took a conscious decision to return to her parental home, and now, she is under the care and custody of her parents. The detainee would further state that she would continue to remain with her parents, and abide by their decisions.

5. Mr.C.Iyyaparaj, learned Additional Public Prosecutor would submit that the third respondent has been foisted with few cases of theft and in respect of one of the theft cases, he got acquitted, and whereas, other cases are concerned, the same is pending for enquiry, and efforts are taken by the respondent-police to secure his custody.

6. In the light of the fact that the detainee is a major and she took a conscious decision to join with her parents and at present, she is free from illegal custody of the third respondent, and that under the care and custody of her father-the petitioner herein, this Habeas Corpus Petition is closed.

Sd/-

Assistant Registrar

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Sub Assistant Registrar

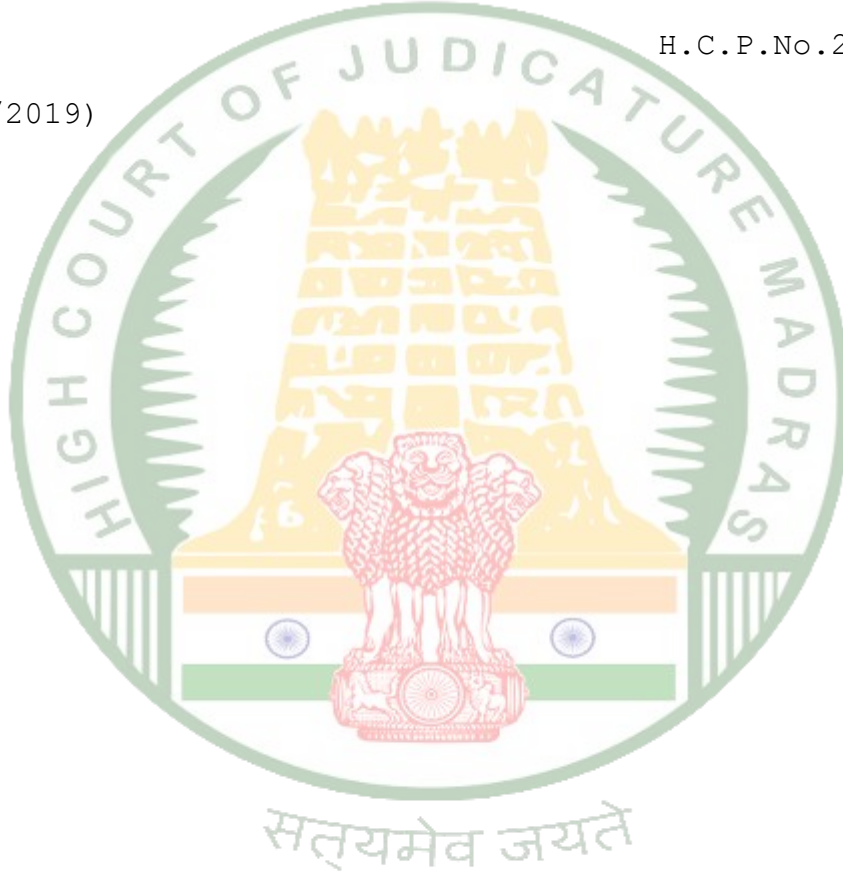
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To:

1. The Superintendent of Police
Kanchipuram
Kanchipuram District.
2. The Inspector of Police
E-8, Kelambakkam Police Station
Chennai.
3. The Public Prosecutor
High Court, Madras.

H.C.P.No.2097 of 2018

BS (CO)
SSM(10/05/2019)



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