

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:01.11.2019

CORAM

THE HON'BLE MR.JUSTICE M.M.SUNDRESH
AND
THE HON'BLE MR.JUSTICE RMT.TEEKAA RAMAN

H.C.P.NO.2258 OF 2019

S.Rubiya Parveen

... Petitioner

-vs-

1. The State Rep. By
The Commissioner of Police,
Greater Chennai Police,
Veperi, Chennai - 600 007.
2. The Deputy Commissioner of Police,
Greater Chennai Police,
Washermenpet Range,
Chennai - 600 021.
3. The Inspector of Police,
W-13, All Women Police Station,
Washermenpet Range,
Chennai - 600 021.
4. The Social Welfare Officer,
Chennai District,
Chennai District Collector Officer,
Singaravelar Maligai,
Chennai - 600 001.

5. Mohammed Aarif

6. Kadhija Beevi

7. A.Praveen Banu

... Respondents

Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus directing respondents 1 to 3 to produce the body of the detenu Mohammed Ismail, aged 38 years, S/o. Abdul Ravooof, before this Court from the illegal custody of respondents 5 to 7 and set him at liberty.

For Petitioner : No appearance

For Respondents Mr.R.Prathap Kumar
: Addl. Public Prosecutor
for R1 to R4

ORDER

[Order of the Court was made by M.M.SUNDRESH, J.]

Seeking a direction to respondents 1 to 3 to produce the body of the detenu Mohammed Ismail, aged 38 years, S/o. Abdul Ravoof, before this Court from the illegal custody of respondents 5 to 7 and to set him at liberty, the present Habeas Corpus Petition has been filed.

2. There is no representation on behalf of the petitioner.

3. The petitioner is the wife of the detenu. As per the instruction of the learned Additional Public Prosecutor, the detenu has been missing from the year 2014 onwards. From the affidavit filed and the legal notice issued, it appears that the petitioner obtained an order in DVC No. 277 of 2017 against the detenu before the Additional Mahila Magistrate Court, Egmore on 16.10.2018 directing the payment of Rs.30,000/-. Now, she wants to implement the aforesaid order and for that purpose, she seeks the presence of the detenu.

4. From the above, we are of the view that there is no illegal detention involved and the Habeas Corpus Petition stands closed. If the petitioner wants to execute the order, her remedy lies elsewhere.

Sd/-

सत्यमेव जयते
Assistant Registrar (CCC)

//True Copy//

Sub Assistant Registrar

mmi/ssm

To

1. The Commissioner of Police,
Greater Chennai Police,
Veperi, Chennai - 600 007.

2. The Deputy Commissioner of Police,
Greater Chennai Police,
Washermenpet Range,
Chennai - 600 021.

3. The Inspector of Police,
W-13, All Women Police Station,
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Chennai - 600 021.

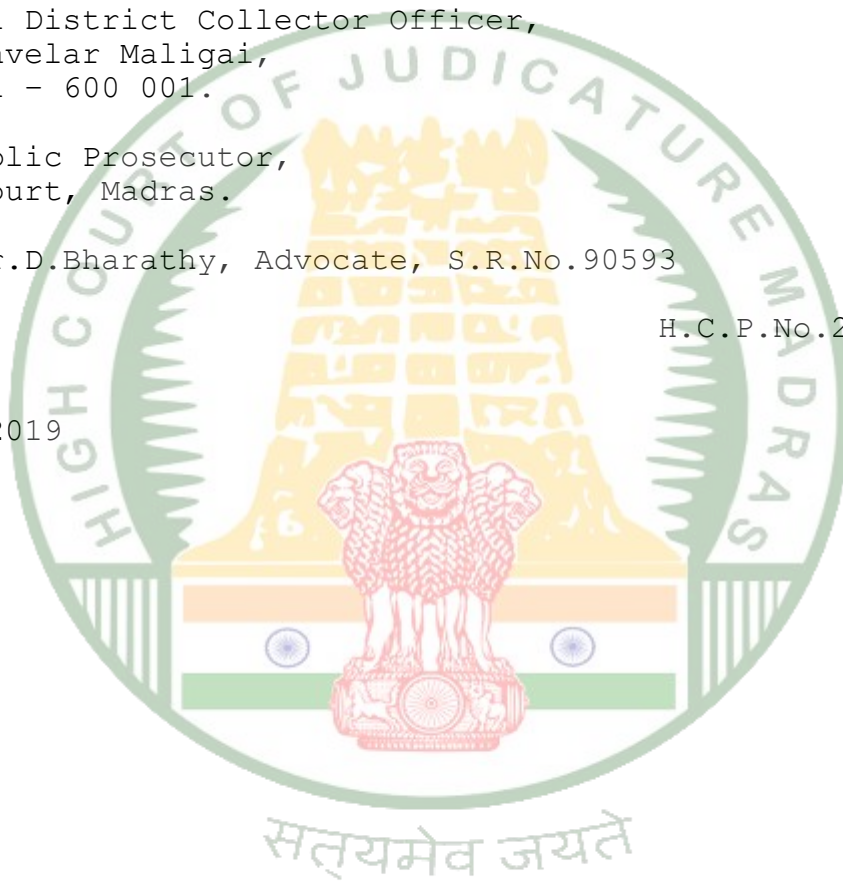
4. The Social Welfare Officer,
Chennai District,
Chennai District Collector Officer,
Singaravelar Maligai,
Chennai - 600 001.

5. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.D.Bharathy, Advocate, S.R.No.90593

H.C.P.No.2258 of 2019

MP (CO)
CS/03/12/2019



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