



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH
and
THE HONOURABLE MR.JUSTICE B.PUGALENDHI

H.C.P.(MD) No.244 of 2019

Nasriya Begum

... Petitioner

-VS-

1.The Superintendent of Police
Ramanathapuram District

2.The Inspector of Police
Mandapam Police Station
Ramanathapuram District

3.Seemon

4.Ratharaj

5.Mariamammal

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus directing the Respondent Nos.1 and 2 to produce person or body of the Petitioner's daughter namely Aksara banu, daughter of Rahmath Ali, aged about 14 years, before this Court and handover her custody to the petitioner.

For Petitioner: Mr.S.Ayyanar Premkumar

For Respondents : Mr.M.Chandrasekaran
Additional Public Prosecutor for R1 & R2

O R D E R

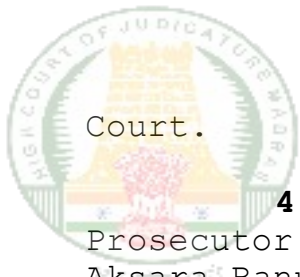
[Order of the Court was made by B.PUGALENDHI, J.]

Today, Ms.M.Roselin Arul, W.P.C., All Women Police Station, Rameswaram, is present.

2. It is the case of the petitioner that her minor daughter Aksara Banu, aged about 14 years, was kidnapped by the third respondent and since the Police did not take any action to secure Aksara Banu, this Habeas Corpus Petition has been filed.

<https://hcservices.ecourts.gov.in/hcservices/>

3. On notice, the Police produced Aksara Banu before this



Court.

4. On instructions, the learned Additional Public Prosecutor submitted that the petitioner, who is the mother of Aksara Banu, is not willing to accept her, because, she had ran away thrice earlier with the third respondent and that she will repeat it.

5. The learned counsel for the petitioner refuted the above submission.

6. Be that as it may, the fact remains that the petitioner is not before this Court to take custody of Aksara Banu. Therefore, we direct the Police to produce Aksara Banu before the learned District Munsif, Ramanathapuram, Full Additional Charge of the Judicial Magistrate Court, Rameswaram, today and inform the parents of Aksara Banu about the production before him. It is open to the parents of Aksara Banu to come over to the Court of the District Munsif, Ramanathapuram, and take custody of their daughter Aksara Banu. In the event of the parents refusing to take custody of Aksara Banu, it is open to the learned District Munsif, Ramanathapuram, to pass appropriate orders confining Aksara Banu in the juvenile home until further orders by the District Munsif with regard to her custody.

7. With the above directions, this Habeas Corpus Petition is closed.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar (CS)

To:

1. The District Munsif, Ramanathapuram,
(Full Additional Charge of)
The Judicial Magistrate
Rameswhwaram.

2. The Chief Judicial Magistrate, Ramanathapuram

3. The Judicial Magistrate Rameswhwaram.

4. The Superintendent of Police,
Ramanathapuram District.

<https://hcservices.ecourts.gov.in/hcservices/>

5. The Inspector of Police,



Mandapam Police Station,
Ramanathapuram District.

6. The Inspector of Police,
All Women Police Station, Rameshwaram.

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

H.C.P. (MD) No.244 of 2019
11.04.2019

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