



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.03.2019

CORAM:

**THE HONOURABLE MR. JUSTICE P.N.PRAKASH
AND
THE HONOURABLE MR. JUSTICE B.PUGALENDHI**

H.C.P. (MD) No.1325 of 2018

Syed Ibrahim : Petitioner

Vs.

1. The Commissioner of Police,
Madurai City,
Madurai.

2. The Inspector of Police
Thallakulam Police Station
Madurai City.

3. S.Akbar : Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India praying for the issue of a Writ of Habeas Corpus, to direct the 1st and 2nd respondents herein to produce the body and limb of petitioner's daughter Sanaa, daughter of Syed Ibrahim aged about 5½ years before this Court.

For Petitioner : Ms.D.Farjana Ghousia
For Respondents : Mr.R.Anandaraj for R1 & R2
Additional Public Prosecutor
Mr.S.Natesh Raja for R3

ORDER

B. PUGALENDHI, J

It is the case of the petitioner that his daughter Sanaa, aged about 5 ½ years is in the illegal custody of her grandfather, namely, the third respondent herein.

2. Today, the police have produced the child along with her grandmother.

3. On instructions, the learned Additional Public Prosecutor submitted that the child is living with her mother and grandmother in their native village.



4. Since there is no illegal detention, no Writ of Habeas Corpus can be issued. Accordingly, this Habeas Corpus Petition is closed.

sd/

Assistant Registrar(crl.side)

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/True Copy/

Sub Assistant Registrar

To

1. The Commissioner of Police,
Madurai City,
Madurai.
2. The Inspector of Police
Thallakulam Police Station
Madurai City.
3. The Additional Public Prosecutor
Madurai Bench of Madras High Court,
Madurai.

+1 CC to Mr.S.NATESH RAJA, Advocate (SR-53214[F] dated 12/03/2019)
+1 CC to M/s.FARJANA GHOSHIA, Advocate (SR-53324[F] dated
12/03/2019)

Order made in
H.C.P. (MD) No.1325 of 2018
11.03.2019

rr

MK (26.03.2019) 2P 6C