

IN THE HIGH COURT OF JUDICIATURE AT MADRAS

DATED : 20.01.2020

CORAM :

THE HONOURABLE MR.JUSTICE R.SUBBIAH
and
THE HONOURABLE MR.JUSTICE R.PONGIAPPAN

H.C.P.No.2877 of 2019

M.Faisullah

... Petitioner

versus

1.The Superintendent of Police,
Vellore District - 632 009.

2.The Sub Inspector of Police,
Gudiyatham Town Police Station,
Gudiyatham,
Vellore District - 632 602.

3.D.Chandrababu

4.Durai

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, seeking to issue a Writ of Habeas Corpus, directing the second respondent herein to produce the petitioner's sister herein namely, P.Foujya, Female, aged about 25 years, before this Court from the illegal custody of 3rd and 4th respondents herein and set her at liberty forthwith.

For Petitioner : Mr.J.Prakasam

For Respondents : Mr.R.Prathap Kumar,
Additional Public Prosecutor
for R1 and R2

ORDER

(Order of this Court was made by R.SUBBIAH,J.)

This Habeas Corpus Petition has been filed for a direction to produce the detainee namely P.Foujya, aged about 25 years, before this Court from the illegal custody of 3rd and 4th respondents herein and set her at liberty forthwith.

2.In the affidavit filed in support of this petition it is averred that the petitioner is the brother of the detainee. The marriage between his sister and one Noor Ahmed was solemnized on 07.03.2013. Due to some family disputes between

her and her husband, she came to the petitioner's house in the 4th week of November 2019. While so, on 25.11.2019, the detainee informed the petitioner that she is going to a shop nearby street. But thereafter she did not return home till 10.00 p.m. Despite search made by the petitioner along with his relatives and friends, they could not find out the whereabouts of the detainee. In this regard, the petitioner has made a complaint to the respondent police. Since the police has not taken any steps to secure the detainee, the petitioner is before this Court with the present Habeas Corpus Petition.

3.Today, when the petition is taken up for consideration, the detainee is produced before this Court.

4.On enquiry, the detainee submitted before this Court that she went along with the third respondent on her own volition and she expressed her willingness to go along with the petitioner and that there was no illegal detention.

5.In view of the submission made by the detainee, nothing survives for further adjudication in this Habeas Corpus Petition. As there is no allegation of illegal detention, the Habeas Corpus Petition stands closed.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

vga
To

1.The Superintendent of Police,
Vellore District - 632 009.

2.The Sub Inspector of Police,
Gudiyatham Town Police Station,
Gudiyatham,
Vellore District - 632 602.

3.The Public Prosecutor,
High Court, Madras.

H.C.P.No.2877 of 2019

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A.SK(20/02/2020)