



WEB COPY

H.C.P.(MD) No.86 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.11.2020

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

and

THE HONOURABLE MRS.JUSTICE T.KRISHNAVALLI

H.C.P.(MD) No.86 of 2020

Asan Fathima

... Petitioner

-vs-

1.The Commissioner of Police,
Tirunelveli City.

2.The Inspector of Police,
Pettai Police Station,
Tirunelveli,
Tirunelveli District.

3.Azarudeen

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus directing the respondents to produce the body of Minor Afsana Sameera (aged 17 years) D/o Jahir Hussain before this Court and to handover the custody to the petitioner.

For Petitioner : Mr.RM.Arun Swaminathan
For Respondents : Mr.R.Anandharaj
Additional Public Prosecutor
(for R1 and R2)

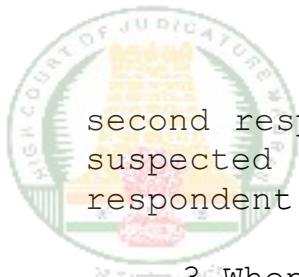
O R D E R

[Order of the Court was made by K.KALYANASUNDARAM, J.]

The prayer in this Habeas Corpus Petition is to direct the respondents to produce the petitioner's daughter, namely Afsana Sameera, aged about 17 years before this Court and handover her custody to the petitioner.

2.It is stated in the affidavit filed in support of the petition that the detainee is found missing from 18.11.2019. In this regard, a complaint has been given to the second respondent. Though the said complaint was registered in Crime No.266 of 2019 by the

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



second respondent, no action has been taken by them. The petitioner suspected that her daughter could have been kidnapped by the third respondent.

3. When the matter is taken up for hearing today, Mr. R. Anandharaj, learned Additional Public Prosecutor would state that the detenu has now joined with the petitioner and she is in advance of pregnancy.

4. Mr. RM. Arun Swaminathan, learned counsel for the petitioner has also not disputed the statement of the learned Additional Public Prosecutor.

5. Since the detenu has already joined with the petitioner herein, we are of the view that nothing survives for consideration in this habeas corpus petition and hence, the same is closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2020

Sub Assistant Registrar (CS)

skn

Note :

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To:

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

H.C.P. (MD) No.86 of 2020
11.11.2020

KMV (CO)

TR (26.11.2020) 2P 4C