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H.C.P(MD) No.605 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.09.2020

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

and

THE HONOURABLE MRS.JUSTICE T.KRISHNAVALLI

H.C.P. (MD) No.605 of 2020

A.Mohamed Mubin

... Petitioner/Husband of the detenue

-vs-

1.The District Superintendent of Police,
Tirunelveli District,
Tirunelveli.

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

3.Kali ... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus directing the respondents to secure and produce the body of the detenue namely Sonia @ Jannathul Fridhous, aged about 22 years, wife of A.Mohamed Mubin, before this Court and set her at liberty.

For Petitioner

:Mr.J.John

For Respondents

:Mr.V.Neelakandan

1 and 2

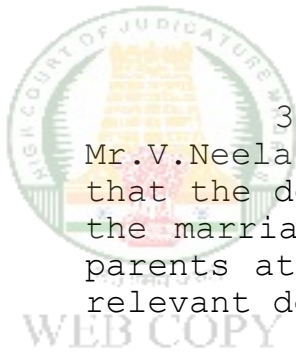
Additional Public Prosecutor

O R D E R

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

The prayer in the Habeas Corpus Petition is to direct the respondents to secure and produce the detenue namely Sonia @ Jannathul Fridhous, aged about 22 years before this Court and set her at liberty.

2.It is the case of the Petitioner that he met the detenue in the year 2017 when she participated in the cultural programme, where he was studying. It is further stated that the Petitioner married the detenue on 25.7.2020 and her original name Sonia was also changed as Jannathul Fridhous and now she is kept in illegal custody by her father, the third respondent herein.



3.The learned Additional Public Prosecutor Mr.V.Neelakandan, appearing for the respondents 1 and 2 would state that the detenue is a major, aged about 22 years and she had denied the marriage with the Petitioner and she is now residing with her parents at Jollarpettai. The statement of the detenue and the other relevant documents were produced for perusal of this Court.

4.In the light of the above facts, this Habeas Corpus Petition is dismissed, granting liberty to the Petitioner to approach the appropriate forum for appropriate relief.

Sd/-

Assistant Registrar (CSII)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

vsn

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 District Superintendent of Police,
Tirunelveli District,
Tirunelveli.
- 2.The Inspector of Police,
Melapalayam Police Station,
Tirunelveli,
Tirunelveli District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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