



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.12.2020

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

and

THE HONOURABLE MRS.JUSTICE T.KRISHNAVALLI

H.C.P. (MD) No.1072 of 2020

WEB COPY

B.Rathiselvi

... Petitioner

-vs-

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

2.The Inspector of Police,
Pamban Police Station,
Ramanathapuram District.

3.Poulin

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus directing the second respondent to secure the detenu and produce the body of the detenu, the Petitioner's son namely Farooq, son of Balakrishnan, aged 18 years before this Court, illegally detained by the third respondent and set him at liberty.

For Petitioner : Mr.T.Veerakumar

For Respondents : Mr.K.Dinesh Babu
1 and 2 Additional Public Prosecutor

O R D E R

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

This habeas corpus petition has been filed seeking for a direction to the second respondent to produce the Petitioner's son namely, Farooq, son of Balakrishnan, aged about 18 years, before this Court from the illegal custody of the third respondent and set him at liberty.

2.The Petitioner would state that her son was found missing from 31.10.2020. She would further state that the third respondent informed her that the detenu eloped with her daughter Varshini. On her complaint, the third respondent enquired the Petitioner and her husband and both of them were abused by the third respondent and they were directed to appear for an enquiry on 1.11.2020. It is the further case of the Petitioner that her son Farooq, the detenu herein would have been abducted by the third respondent and he is



illegally detained by her.

3. When the case is taken up for hearing today, Mr.K.Dinesh Babu, learned Additional Public Prosecutor appearing for the respondents 1 and 2, on instructions, would submit that with regard to the missing of the daughter of the third respondent, a complaint was given and the same was registered in crime No.295 of 2020 under the caption ''women missing''. During enquiry, the Petitioner's son Farooq, the detenu herein appeared before the respondent Police and has gone back to his house.

4. In view of the above statement made by the learned Additional Public Prosecutor, we are of the opinion that the prayer sought for by the Petitioner has become infructuous and hence the Habeas Corpus Petition stands dismissed.

Sd/-

Assistant Registrar (AE)

// 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 Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.
2. The Inspector of Police,
Pamban Police Station,
Ramanathapuram District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER MADE IN
H.C.P. (MD) No.1072 of 2020
16.12.2020

MJ(CO)

AP(28/12/2020) 2P 4C

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