



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **09.01.2020**

CORAM:

THE HONOURABLE MR.JUSTICE **A.D.JAGADISH CHANDIRA**

WEB COPY

Crl.O.P.[MD].No.16200 of 2019

M.Niyamathullah

: Petitioner

Vs.

1.The Superintendent of Police,
Office of the Superintendent of Police,
Sivagangai District.

2.The Inspector of Police,
Office of the Inspector of Police,
Central Police Station, Thoothukudi District.

3.Anandkumar

4.Gurusamy

: Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to direct the respondents 1 and 2 to produce the body or person of my daughter, namely, Benazir, D/o.Niyamathullah, aged 26 years and Mohamed Hamsa S/o. Asarudeen aged about 31/2.

For Petitioner : Mr.S.M.A.Jinnah

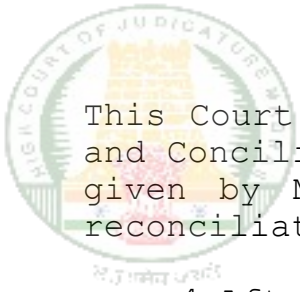
For R-1 and R-2 : Mr.S.Chandrasekaran
Additional Public Prosecutor

ORDER

The Criminal Original Petition has been filed seeking a direction to the respondents 1 and 2 to produce the body or person of petitioner's daughter, namely, Benazir, D/o.Niyamathullah, aged 26 years and Mohamed Hamsa S/o. Asarudeen, aged about 3-1/2.

2.Today, when the matter is taken up for hearing, the detainee, namely Benazir, D/o.Niyamathullah, and Mohamed Hamsa S/o. Asarudeen are produced before this Court. The petitioner is also present before this Court.

3.The learned counsel for the petitioner would submit that due to certain matrimonial issues, the detainee had left the home on misunderstanding along with her special child. He would submit that if counselling is given to the detainee, she would join with her family. When this Court enquired the detainee, she expressed her willingness to appear before the Mediation and Conciliation Center.



This Court advised both the parties to appear before the Mediation and Conciliation Center attached to this Bench for counselling to be given by Ms.S.J.Anandhavalli. During the counselling, there was reconciliation between the father and his daughter/detenué.

4.After deliberations, the alleged detenué/Benazir has agreed to go with her parents. The parents of the detenué have also agreed that they will not object her from taking employment and that her child, namely, Mohamed Hamza will be taken care of by her parents.

5.The elder sister of the detenué is present before this Court and she is a practicing Advocate before the Sivakasi Bar and she had stated that she shall take steps to care of her own sister/detenué and her child.

6.Recording the same, this Criminal Original Petition stands closed.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

To

1.The Superintendent of Police,
Office of the Superintendent of Police,
Sivagangai District.

2.The Inspector of Police,
Office of the Inspector of Police,
Central Police Station, Thoothukudi District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

4.The Co-ordinator,
Mediation and Conciliation Centre,
Madurai Bench of Madras High Court, Madurai.

5.Ms.S.J.Anandhavalli, Mediator,
Mediation and Conciliation Centre,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.S.M.A.JINNAH, Advocate (SR-1733[F] dated 13/01/2020)

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09.01.2020

sjj

<https://hcds.courts.gov.in/casefiles/2P-7C>