

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 08.02.2021

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH
AND
THE HONOURABLE Mr.JUSTICE V.SIVAGNANAM

H.C.P.No.123 of 2021

T.Nizarudeen ... Petitioner

Vs.

1.The Superintendent of Police
O/o.The Superintendent of Police
Tiruvavur District, Tiruvavur.

2.The Inspector of Police
Valangaiman Police Station
Tiruvavur District.

3.Vengatesh ... Respondents

Petition filed under Article 226 of the Constitution of India, praying to issue a WRIT OF HABEAS CORPUS to direct the 2nd respondent to bring the body of the detenu viz. Naseema Parveen @ Valli, aged 20 years from the illegal custody of the 3rd respondent and his relatives and produce before this Hon'ble Court and set her liberty

For Petitioner : Mr.K.Ezhumalai
For R1 and R2 : Mr.R.Prathap Kumar
Additional Public Prosecutor
For R3 : Mr.D.Veerasekaran

O R D E R

[Order of the Court was made by P.N.PRAKASH, J.]

It is the case of the petitioner that, he is a Muslim and that, he and Valli, a Hindu were in love with each other; Valli converted to Islam and assumed the name Naseema Parveen and got married to him on 10.10.2020; this was not to the liking of Valli's parents and therefore, they are keeping her in their illegal custody.

2. Today, Mr.P.Dharmaraj, Special Sub Inspector of Police, Valangaiman Police Station is present before this Court.

3. On the directions of this Court, Valli was produced before this Court. When enquired, she stated that her date of birth is 21.06.2000 and is studying M.Com. in Sengamalam College. She further stated that she wants to be with the petitioner. Valli's mother Chitra is also present before this Court. She stated that Valli's father is abroad and his brother Venkatesan (3rd respondent) is taking care of household. She pleaded that until Valli's father returns from abroad, Valli may be directed to be with her. However, Valli is not willing to be with her mother and insisted that she will be only with the petitioner. Since Valli is not a minor and she is capable of taking informed decisions, we are setting her at liberty to chalk out her own life.

In the result, this Habeas Corpus Petition is allowed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

gya

To

1.The Superintendent of Police
Tiruvarur District, Tiruvarur

2.The Inspector of Police
Valangaiman Police Station
Tiruvarur District

3.The Public Prosecutor
High Court, Madras.

+lcc to Mr.K.Ezhumalai, Advocate, SR.No.7457.

+lcc to Mr.D.Veerasekaran, Advocate, SR.No.7166.

H.C.P.No.123 of 2021

JP-II (CO)

CSR: 09.03.2021