

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED 23.04.2021

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH
AND
THE HONOURABLE Mr.JUSTICE R.PONGIAPPAN

H.C.P.No.499 of 2021

Anish Fathima

Petitioner

Vs.

1 The Commissioner of Police
Greater Chennai City Police
Vepery
Chennai 600 006

2 The Inspector of Police
Thiruninravur Police Station
Thiruvallur District

3 Thameem Ali

Respondents

Petition filed under Article 226 of the Constitution of India, praying to issue a WRIT OF HABEAS CORPUS directing the respondents 1 and 2 to produce the body and person of the detinue, viz., Fatheema Muthu Bevee, W/o.Mohammed Haseem, Mulsim, aged about 60 years, before this Court from the illegal detention and custody of the 3rd respondent and consequently set her at liberty.

सत्यमेव जयते

For petitioner : Mr. Manoharan Shanmuga Sundaram
Servai

For RR 1 & 2 : Mr.R.Prathap Kumar
Additional Public Prosecutor

For R3 : Mrs. Selvi George
for M/s. Majestic Law Firm

O R D E R

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

It is the case of the petitioner that her mother Fatheema Muthu Bevee is in the illegal custody of the 3rd respondent and that police are not taking effective steps to secure her.

2. On instructions, the learned Additional Public Prosecutor submitted that, on a complaint given by the petitioner, a petition enquiry in Thiruninravur C.S.R.No.53 of 2021 has been registered and enquiry is in progress.

3. Today, Fatheema Muthu Bevee appeared before us via video conferencing along with her advocate Mrs.Selvi George. When we interacted with Fatheema Muthu Bevee, she stated that the 3rd respondent is her son and that, she has gone on her own volition to live with her son. She also stated that both of them are at present residing in door No.30, Abdul Kalam Street, Minjur, Chennai 601 203. The 3rd respondent also appeared in video conferencing and stated that his mobile number is 98406 62954.

In view of the above, it cannot be stated that Fatheema Muthu Bevee is in the illegal custody of the 3rd respondent and therefore, this petition is dismissed with costs of Rs.25,000/- (Rupees Twenty Five Thousand Only) payable by the petitioner to "The Chief Minister's Public Relief Fund" (Indian Overseas Bank, Secretariat Branch, Chennai-9, S.B.A/c.No.117201000000070, IFS Code-IOBA0001172, CMPRF PAN-AAAGC0038F) within two weeks from the date of receipt of a copy of this order.

Sd/-

Assistant Registrar(CS)

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

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To

- 1 The Commissioner of Police
Greater Chennai City Police
Vepery
Chennai 600 006
- 2 The Inspector of Police
Thiruninravur Police Station
Thiruvallur District

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3. The Public Prosecutor
High Court, Madras

4. The District Collector
Chennai

5. The Chief Secretary to Government,
The Chief Minister's Public Relief Fund, Secretariat,
Chennai 9.

+2ccs to Mr.M/s. Majestic Law Firm , Advocate SR.No. 24954

H.C.P.No.499 of 2021

A.SK(05.07.2021)



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