



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 06.07.2021

CORAM

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

H.C.P.No.1033 of 2021

Prakashsan

.. Petitioner

Vs.

1. The Deputy Commissioner of Police
Anna Nagar, Chennai-7

2. The Inspector of Police
K-8, Arumbakkam Police Station
Chennai.

.. Respondents

Petition filed under Article 226 of the Constitution of India, praying to issue a WRIT OF HABEAS CORPUS to direct the 2nd respondent herein to produce the petitioner's daughter viz., Pooja, D/o.Prakashsan, aged about 32 years, before this Hon'ble Court and set her at liberty.

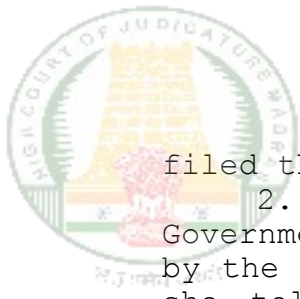
For Petitioner : Mr.C.Saravanakumar

For Respondents : Mr.R.Muniyapparaj
Government Advocate (Crl. Side)

O R D E R

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

It is the case of the petitioner that, his daughter viz., Pooja was in love with Vishwa and got married to him on her own accord on 13.03.2017; on account of marital discord, she got estranged from Vishwa and filed a petition for divorce in H.M.O.P.No.1603 of 2020 and the same is pending on the file of the I Additional Family Court, Chennai; she was living with the petitioner in door No.5-B, New Natarajanpuram, Aminjikarai, Chennai-29. It is the further case of the petitioner that, Pooja went missing from 29.04.2021 and therefore, he lodged a complaint before the 2nd respondent, based on which, a petition enquiry was conducted in C.S.R.No.219/2021 on 13.05.2021; since he petitioner did not know the whereabouts of Pooja, he has



filed the present petition.

2. When the matter was taken up for hearing, the learned Government Advocate (Crl. Side) submitted that Pooja was located by the police, during the enquiry in C.S.R.No.219/2021 and that, she told the police that she would appear before the Court, whenever required. Therefore, we require the presence of petitioner and Pooja before us via video conferencing.

3. Today, Mr.Manimaran, Advocate (E.No.2898/2013, mobile number 9940235265) entered appearance for Pooja and produced her from his office via video conferencing. The petitioner was also present via video conferencing from the office of his advocate Mr.Saravanakumar.

4. During enquiry, Pooja stated that, she has embraced Islam and is staying in Darul Huda Islamic Education Centre in door No.211, Linghi Chetty Street, Mannady. However, the petitioner disputed this statement of hers and stated that she is in the custody of one Abdul Rasheed and has developed intimacy with him.

5. Be that as it may, we do not find that Pooja is in the illegal custody of anyone for issuance of a writ of habeas corpus. However, the petitioner wanted to meet Pooja and therefore, Mr.Manimaran stated that the petitioner can come and meet Pooja in his office on 07.07.2021 at 09.30 a.m.

Recording the aforesaid submission of Mr.Manimaran, this habeas corpus petition stands closed.

Sd/-

Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

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To

1. The Deputy Commissioner of Police
Anna Nagar
Chennai-7
2. The Inspector of Police
K-8, Arumbakkam Police Station
Chennai.
3. The Public Prosecutor
High Court, Madras

H.C.P.No.1033 of 2021

SPD(CO)
HS(29/07/2021)