



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.06.2021

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM
and
THE HONOURABLE MRS.JUSTICE R.THARANI

H.C.P. (MD) No.196 of 2021

Abitha Beevi

... Petitioner/Mother of Detenue

-vs-

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

2.The Inspector of Police,
Natham Police Station,
Natham,
Dindigul.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus to direct the respondents to produce the body of detenue, namely, Sheik Abdul Kadar, Son of Pitchai Mohamed (late) aged about 38 years, the petitioner's son before this Court and set him at liberty.

For Petitioner : Mr.J.Sulthan Basha

For Respondents : Mr.S.Ravi

Standing Counsel for Tamil Nadu Government

O R D E R

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

This Habeas Corpus Petition has been filed seeking a direction to the respondents to produce the petitioner's son, namely, Sheik Abdul Kadar, Son of Pitchai Mohamed (late) aged about 38 years before this Court and set him at liberty.

2.The petitioner is the mother of the detenu. It is alleged that he was married to one Ramzan Begam. During their wedlock, they are blessed with a son and a daughter. While so, he was found missing from the year 2017 onwards. It is her grievance that despite her complaint, no action was taken by the respondents.

<https://hccourts.in/cases> Here, the present petition has been filed.



3. When the matter is taken up for hearing today, the petitioner and the detenu appeared before this Court through video conferencing from the Public Prosecutor's Office. On enquiry, the detenu would state that due to financial problem, he left his house in the year 2017 and started working at Tiruppur. Now, he is willing to go along with the petitioner. The statement of the detenu shows that he was not under illegal custody.

4. In view of the above statement of the detenu, we find no merits in the habeas corpus petition and hence, the same is dismissed.

Sd/-

Assistant Registrar (CS II)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

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,
Dindigul District,
Dindigul.
2. The Inspector of Police,
Natham Police Station,
Natham,
Dindigul.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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AS (11.06.2021) 3P 4C