



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.05.2021

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

and

THE HONOURABLE MRS.JUSTICE R.THARANI

H.C.P[MD]No.774 of 2021

Barakkath Nisha

: Petitioner

Vs.

1.State represented by
The Commissioner of Police,
Madurai District, Madurai.

2.The Inspector of Police,
Anna Nagar Police Station,
Madurai.

3.Vignesh

: Respondents

PRAYER: 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 detainee namely Afrosh Fathima (D/o.) Mydeen Sharif, 18 years before this Court and set her at liberty, since the petitioner's daughter's life and liberty is in danger at the hands of the third respondent.

For Petitioner : Ms.Thoppammal

For Respondents 1&2 : Mr.S.Ravi

Standing counsel for Respondents.

O R D E R

[Order of the Court was made by **V.M.VELUMANI, J.**]

According to the petitioner, her daughter namely, Afrosh Fathima, aged about 18 years was kidnapped by the third respondent and kept under his illegal custody by threat and coercion. Hence, the petitioner gave a complaint to the second respondent to secure her daughter. The second respondent has not secured her daughter. Hence, she has come out with the present petition.

2.Now, the second respondent has secured the detainee and she appeared before this Court through video conferencing from the office of the Additional Public Prosecutor. The



detenue, Afrosh Fathima submitted that she got married with the third respondent and she is not under the illegal custody of the third respondent and that she has voluntarily left the house of the petitioner. The detenue further submitted that she wants to stay only with the third respondent.

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3.Considering the fact that the detenue is a major and also taking into consideration the submission of the detenue that she is not under illegal custody and that she has voluntarily left the petitioner's house and not willing to go with the petitioner/mother, this Court is of the view that there is no illegal detention. Hence, this Habeas Corpus Petition is closed.

Sd/-

Assistant Registrar (W)

// 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 Commissioner of Police,
Madurai City,
Madurai.
- 2.The Inspector of Police,
Anna Nagar Police Station,
Madurai.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER MADE IN
H.C.P.[MD]No.774 of 2021

DATED
26.05.2021

AS (10.06.2021) 3P 4C