



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :30.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

and

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

H.C.P. (MD) No.984 of 2021

WEB COPY

S.Nazeema Beevi

... Petitioner/Mother of the detenu

-vs-

1.The Superintendent of Police,
Office of the Superintendent of Police,
Kanniyakumari District.

2.The Inspector of Police,
All Women Police Station,
Kanniyakumari,
Kanniyakumari District.

3.Ajith

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus directing the respondents 1 and 2 to produce the body or person of the detenu by name Lubeena, daughter of Sirajutheen, aged 17 years before this Court and hand over her custody to the Petitioner forthwith

For Petitioner	:	Mr.I.Sabeer Mohamed
For Respondents-1&2	:	Mr.S.Ravi
		Standing Counsel for the State

O R D E R

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

The prayer in the Habeas Corpus Petition is to direct the respondents 1 and 2 to produce the Petitioner's daughter, by name, Lubeen, daughter of Sirajutheen, aged 17 years before this Court and hand over her custody to the Petitioner forthwith.

2.Heard the learned counsel appearing on either side and perused the materials placed before this Court.

3.The Petitioner is the mother of the detenu. It is alleged that the detenu is found missing from 10.6.2021.

4.When the matter is taken up for hearing today, the Petitioner as well as the detenu appeared before this Court through video conferencing from the Public Prosecutor's Office. On enquiry, she would state that she is willing to go with her mother.

5.Mr.S.Ravi, learned Standing Counsel appearing for the respondents 1 and 2 would submit that the detenu has eloped with the



third respondent in the year 2019, for which, a criminal case was registered in Crime No.25 of 2019 and now the case is pending trial before the Special Court for POCSO Act Cases in Spl.S.C.No.99 of 2020. It is further stated that based on the complaint of the Petitioner, a case was registered for the second time, in which also, the third respondent was arrested and remanded to judicial custody.

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6.In the light of the above statement, we are of the opinion that no further adjudication is required in this Habeas Corpus Petition and accordingly, the same stands closed.

Sd/-

Assistant Registrar (CS I)

// 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,
Office of the Superintendent of Police,
Kanniyakumari District.
- 2.The Inspector of Police,
All Women Police Station,
Kanniyakumari,
Kanniyakumari District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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NSM

RS (10.08.2021) 2P-4C