



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.09.2021

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

and

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

H.C.P. (MD) No.1163 of 2021

Sheik Mohamed

... Petitioner

Vs.

1.The State Represented by it's
The Superintendent of Police,
O/o. The Superintendent of Police,
Kanyakumari District.

2.The Inspector of Police,
All Women Police Station,
Marthandam,
Kanyakumari District,
(Crime Number:39/2021).

3.Asvinash

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus, directing the Respondents No.1 and 2 to produce the person or body of the Petitioner's minor daughter namely Barsana, daughter of Sheik Mohamed, aged about 17 years old before this Court and hand over custody to the petitioner.

For Petitioner : Mr.R.Karunanidhi

For Respondents : Mr.S.Ravi,
Standing Counsel for Government

O R D E R

[Order of the Court was made by V.BHARATHIDASAN, J.]

Alleging that the petitioner's minor daughter, by name Barsana, aged about 17 years, found missing and suspecting that the 3rd respondent kidnapped the girl, the petitioner made a complaint before the 2nd respondent Police. Since, no action has been taken, the present Habeas Corpus Petition has been filed.

2. Today, the 2nd respondent Police secured and produced the detainee before this Court and on enquiry, the detainee states that she gone to Chennai along with the 3rd respondent now she is willing to go with the petitioner / father.

3. The petitioner / father of the detainee is present before this Court and submitted that he is willing to take the detainee.



4. Mr. Ravi, the learned Standing Counsel for the State submitted that based on the complaint given by the petitioner, a crime has been registered against the 3rd respondent, and now he is absconding and the respondent Police are conducting the investigation.

5. Considering the above circumstances, the detenue has been secured and now she is willing to go with the petitioner / father, the father of the detenue is also willing to take the detenue, this Habeas Corpus Petition is closed.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

mpk

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,
O/o. The Superintendent of Police,
Kanyakumari District.
- 2.The Inspector of Police,
All Women Police Station,
Marthandam,
Kanyakumari District,
(Crime Number:39/2021).
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

H.C.P. (MD) No.1163 of 2021
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