



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.08.2021

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE V. BHARATHIDASAN
and
THE HONOURABLE MRS.JUSTICE J.NISHA BANU

HCP(MD)No.1220 of 2021

A.Ahmed Kabeer

... Petitioner/Husband of
the Detenue

vs.

1)The Superintendent of Police,
Kanyakumari District.

Kanyakumari.

2)The Deputy Superintendent o Police,
Kanyakumari,
Kanyakumari District.

3)The Inspector of Police,
Colachel Police Station,
Kanyakumari District.

4)Jayalin Devanasen @ Jaya

... Respondents

Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus directing the 3rd respondent here in to produce the body or person of the detenue Mrs.Rejila, W/o.Ahamed Kabeer, S/o. Rajayyan, aged about 42 years with her two minor child before this Hon'ble Court and set her liberty.

For Petitioner : Mr.K.Ramamurthy

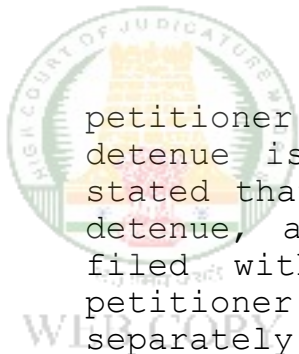
For Respondents : Mr.S.Ravi, Standing Counsel for
1 to 3 Government of Tamil Nadu

ORDER

(Order of the Court was made by V. BHARATHIDASAN, J.)

Alleging that the 4th respondent has abducted the petitioner's wife Mrs.Rejila aged about 42 years and illegally detained her, the present Habeas Corpus Petition has been filed.

2.Today, the detenue along with minor children present before this Court. We have enquired the detenue who has stated that it is a love marriage between the petitioner and the detenue and out of the wedlock, they have two minor children. After some time, the



petitioner deserted the detenue and children and therefore, the detenue is living separately with her children. It is further stated that the 4th respondent is none other than own cousin of the detenue, and he has not abducted her and this petition has been filed with ulterior motive. Considering the fact that the petitioner is said to have deserted the detenue and she is living separately along with the children, there is no illegal detention as alleged by the petitioner.

3.Hence, this Habeas Corpus Petition is dismissed. No costs.

Sd/-

Assistant Registrar (CS-III)

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/ /2021

Sub Assistant Registrar(CS)

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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,
Kanyakumari District.
Kanyakumari.
- 2)The Deputy Superintendent o Police,
Kanyakumari,
Kanyakumari District.
- 3)The Inspector of Police,
Colachel Police Station,
Kanyakumari District.
- 4)The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

HCP(MD)No.1220 of 2021

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RK (20.09.2021) 2P 5C