



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.11.2021

CORAM:

**THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN
and
THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN**

H.C.P. (MD) No.1661 of 2021

S.Sameena Beevi ... Petitioner/Mother of the detenu
Vs.

- 1.The State represented by
the Commissioner of Police,
O/o. The Commissioner of Police,
Madurai City,
Madurai 625 007.
- 2.The Deputy Commissioner of Police,
O/o. The Deputy Commissioner of Police,
Madurai City,
Madurai 625 007.
- 3.The Inspector of Police,
Keeraithurai Police Station,
Madurai City,
Madurai.
(Crime No.701 of 2021)
- 4.Mr.Mohammed Faisal
- 5.Mr.Sulaiman

... Respondents

PRAYER: Habeas Corpus Petition is filed under Article 226 of the Constitution of India, to issue a writ of habeas corpus directing the respondents 1 to 3 to produce the person or body of the petitioner's daughter namely Benasir Banu, daughter of Samsudeen, aged about 19 years old, before this Court and set her at liberty.

For Petitioner : Mr.R.Karunanidhi
For R1 to R3 : Mr.S.Ravi
Additional Public Prosecutor



O R D E R

[Order of the Court was made by S.VAIDYANATHAN, J.]

This Habeas Corpus Petition has been filed for a direction to the respondents 1 to 3 to produce the petitioner's daughter viz., Benasir Banu, aged about 19 years, before this Court and set her at liberty.

2. When the matter is taken up for hearing today, Mr.S.Ravi, learned Additional Public Prosecutor appearing for the respondents, on instructions submitted that the petitioner's daughter Benasir Banu having love affair with one Vijay, S/o. Arumugam and eloped with him and she is a major.

3. Considering the fact that the detenu being the major and she eloped with one Vijay, this Court is not inclined to entertain this petition as it is not maintainable. Hence, the Habeas Corpus Petition is dismissed and it is for the petitioner to work out the remedy, in accordance with law.

Sd/-

Assistant Registrar (CS III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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To

- 1.The Commissioner of Police,
O/o. The Commissioner of Police,
Madurai City,
Madurai 625 007.
- 2.The Deputy Commissioner of Police,
O/o. The Deputy Commissioner of Police,
Madurai City,
Madurai 625 007.
- 3.The Inspector of Police,
Keeraithurai Police Station,
Madurai City,
Madurai.



4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.R.KARUNANIDHI, Advocate (SR-33802[F] dated 09/11/2021)

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ORDER MADE IN
H.C.P.(MD) No.1661 of 2021
08.11.2021

PS (CO)

RS/NS (23.11.2021) 3P 6C