



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.03.2022

CORAM

THE HONOURABLE MR. JUSTICE P.N.PRAKASH
AND
THE HONOURABLE MR. JUSTICE A.A.NAKKIRAN

H.C.P.NO.485 OF 2022

S.Mumtaj Begum

.. Petitioner

Vs.

1. State represented by
The Commissioner of Police,
Greater Chennai, Commissioner Office,
Veppery, Chennai - 600 007.
2. The Inspector of Police,
B-1, North Beach Police Station,
Chennai - 600 001.
3. Mohammed Ninasikkandhar

.. Respondents

Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus directing the 2nd respondent to produce the petitioner's children viz., Ahamed Shalab (aged 11 years), Ayesha Nusla (aged 9 years) and Mohammed Bhakath (aged 5 years), who are illegally detained by the 3rd respondent, before this Court and hand over to the petitioner.

For Petitioner : Mr.S.Nadhiya

For RR 1 and 2 : Mr.R.Muniyapparaj,
Addl. Public Prosecutor

ORDER

[Made by P.N.PRAKASH, J.]

This habeas corpus petition has been filed seeking a direction to the 2nd respondent to produce the petitioner's children viz., Ahamed Shalab (aged 11 years), Ayesha Nusla (aged 9 years) and Mohammed Bhakath (aged 5 years), who are illegally detained by the 3rd respondent, before this Court and



hand over to the petitioner.

2. It is the case of the petitioner that her three children are in the illegal custody of her husband, third respondent herein, who is presently residing in Ramanathapuram District.

3. Since the three children of the petitioner are allegedly in the custody of the third respondent in Ramanathapuram District, this habeas corpus petition will not maintain before the Madras Bench of High Court.

In such view of the matter, this habeas corpus petition stands closed with liberty to the petitioner to work out her remedy in the manner known to law.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

nsd

To

1. The Commissioner of Police,
Greater Chennai, Commissioner Office,
Veppery, Chennai - 600 007.
2. The Inspector of Police,
B-1, North Beach Police Station,
Chennai - 600 001.
3. The Public Prosecutor,
High Court, Madras.

H.C.P.No.485 of 2022

PL(CO)
PM/06/04/2022