



HCP(MD)No.231 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 06.03.2023

CORAM

**THE HON'BLE MR.JUSTICE R.SURESH KUMAR
AND
THE HON'BLE MR.JUSTICE K.K.RAMAKRISHNAN**

H.C.P.(MD)No.231 of 2023

J.Mohamed Yasin
the

.. Petitioner/Father of
Detenu

Vs.

1.The Superintendent of Police,
Trichy District,
Trichy.

2. The Inspector of Police,
Puthanatham Police Station,
Trichy District.

3. Azar

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus, directing the respondents 1 & 2 to produce the body or person of the detenu, the petitioner's daughter, namely, M.Parveen Fathima, daughter of Mohamed Yasin, aged about 20



HCP(MD)No.231 of 2023

years, before this Court and set her at liberty.

WEB COPY

For Petitioner : Mr.B.Prasanna Vinoth

For Respondents : Mr.A.Thiruvadikumar
Additional Public
Prosecutor
for R1 & R2

ORDER

R.SURESH KUMAR, J.
and
K.K.RAMAKRISHNAN, J.

This Habeas Corpus Petition has been filed seeking a direction to the respondents 1 and 2 to produce the petitioner's daughter namely, Parveen Fathima, aged about 20 years.

2. Today when the Habeas Corpus Petition is taken up for hearing at the instance of the learned Additional Public Prosecutor Mr.A.Thiruvadikumar, appearing for the respondents, who submitted that the respondent police has brought the detenu before this Court as per the earlier direction of this Court.



HCP(MD)No.231 of 2023

3. We enquired with the petitioner's daughter as well as the petitioner. The petitioner's daughter namely, Parveen Fathima is 20 years old and her Date of Birth is 23.04.2003. She said that she discontinued her Under Graduation degree course at the second year and she fell in love with the third respondent, who is in the third year of Under Graduation degree course, according to her. The girl is very stubborn about her love with the third respondent. However, the petitioner, father of the detenu has submitted that if she is so adamant and she will marry only the third respondent, for that proposal, the petitioner would not agree.

4. These submission given by the petitioner and her daughter, the detenu, make it clear that both are stubborn in their respective stand.

5. Presently the petitioner's daughter, namely, Parveen Fathima is staying at Poonjolai Women's Hostel at Chathiram Bus Stand near Andal Nagar, Trichy.

6. She would submit that the third respondent is taking care of the detenu for paying the hostel fee and therefore, the detenu wants to stay



HCP(MD)No.231 of 2023

there continuously till a permanent arrangement is made by the third respondent.

7. In view of the afore-stated statement given by the detenu as she is a major, we have come to the conclusion that in this case, there has been no illegal detention and the detenu, who is at her free will wants to stay in the said Hostel for the time being till a permanent arrangement is made on behalf of the third respondent.

8. Recording the said submission, this Habeas Corpus Petition is dismissed.

[R.S.K.,J.] & [K.K.R.K.,J.]
06.03.2023

Index: Yes/No
Internet: Yes/No
NCC: Yes/No

PJL

To
1. The Superintendent of Police,
Trichy District,
Trichy.



HCP(MD)No.231 of 2023

2. The Inspector of Police,
Puthanatham Police Station,
Trichy District.

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



WEB COPY



HCP(MD)No.231 of 2023

**R.SURESH KUMAR, J.
and
K.K.RAMAKRISHNAN, J.**

PJL

H.C.P.(MD)No.231 of 2023

06.03.2023