



H.C.P.(MD) No.526 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 13.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

AND

THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

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S.A.Kadher Meera

... Petitioner / father of the
Detenue

Vs.

1.The Superintendent of Police,

Sivagangai District,

Sivagangai.

2.The Inspector of Police,

Ilayangudi Police Station,

Sivagangai District.

3.Syed Samsudeen

...Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to
issue a Writ of Habeas Corpus, directing the respondents 1 and 2 to produce



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the body or person of the petitioner daughter namely, Miss Nadhira Tasnim daughter of Kadher Meera, aged about 9 years from the illegal custody of the third respondent before this Court and hand over the custody to the petitioner.

For Petitioner : Mr.B.Jameel Arasu

For Respondents : Mr.RMS.Sethuraman,
Additional Public Prosecutor
for R1 and R2
Mr.B.Prahalad Ravi for R3

O R D E R

(Order of the Court was made by ***R.SURESH KUMAR, J.***)

This Habeas Corpus Petition has been filed seeking a direction to the respondents 1 and 2 to produce the petitioner's daughter, namely, Nadhira Tasnim, aged about 9 years, from the illegal custody of the third respondent before this Court and hand over the custody to the petitioner.

2. When this Habeas Corpus Petition is taken up for hearing, the respondent Police has produced the detainee girl child as well as her mother, namely, Husain Banu.



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3. The said mother, namely, Husain Banu, has stated that the marriage between the petitioner and herself was broken down long back and thereafter, the petitioner married twice. Insofar as she is concerned, she nurtured the child (i.e.,) the detainee for all these years and recently two years back, she married another person. Out of their wedlock, she gave birth to twin children.

4. The detainee girl child has also been brought before this Court, who stated before this Court that she does not know who is her father and she is continuously living with her mother and she wants to continue to live with her only and she is studying 6th Standard in a School at Ilayangudi.

5. In view of the said statement given by the detainee girl as well as her mother, we feel that the detainee girl is not in the illegal custody of anyone including the third respondent who is none other than the paternal uncle of erstwhile wife of the petitioner.



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6. Therefore, recording the aforestated, we feel that no further action is required to be taken in this Habeas Corpus Petition. Accordingly, it is closed.

(R.S.K., J.) & (K.K.R.K, J.)

13.06.2023

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

ssb

To

- 1.The Superintendent of Police,
Sivagangai District,
Sivagangai.
- 2.The Inspector of Police,
Ilayangudi Police Station,
Sivagangai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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AND
K.K.RAMAKRISHNAN, J.

ssb

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