



WEB COPY



HCP.No.1890 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.08.2024

CORAM :

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

H.C.P.No.1890 of 2024

Nasreen Fathima

... Petitioner

Vs.

1.The Commissioner of Police,
Commissioner Office,
Vepery,
Chennai.

2.The Inspector of Police,
P-1, Pulianthope Police Station,
Chennai.

3.Basheer Ahmed

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus, directing the 2nd respondent to produce the body or person of petitioner's aunt, Rahimunissa aged about 61 years before this Court from the illegal custody of the 3rd respondent and set her at liberty.



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For Petitioner : Mrs.A.B.Fathima Sulthana
For R1 and R2 : Mr.E.Raj Thilak,
Additional Public Prosecutor

ORDER

(Order of the Court was made by *S.M.SUBRAMANIAM, J.*)

The Writ of Habeas Corpus petition has been instituted to direct the 2nd respondent to produce the body or person of petitioner's aunt, Rahimunissa aged about 61 years.

2.Admittedly, the petitioner is the niece of the detenue. The 3rd respondent is the husband of the detenue.

3.The learned Additional Public Prosecutor would produce a copy of the medical certificate vide Ref.IP.No.2865/HM2/2024, dated 05.08.2024, issued by the Director, Institute of Mental Health, Kilpauk, Chennai, which would reveal that the detenue was admitted in the hospital by her own husband/3rd respondent and on medical examination, the Doctors found that Mrs.Rahamunisa Begam had auditory hallucination (hearing voices). She had paranoid delusion



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(suspiciousness). She understood the questions and replied relevantly. She was oriented to time, place and person. She was diagnosed of mental illness and advised treatment. She gave consent for treatment as an inpatient. Hence, she was admitted in ward-20. She is on appropriate medication. She is currently continuing her treatment as an inpatient.

4.In view of the medical report, it is made clear that detinue is not in illegal detention and thus, the Habeas Corpus Petition is not entertainable. Accordingly, this petition stands dismissed.

[S.M.S., J.]

[V.S.G., J.]

06.08.2024

Index : Yes/No
Speaking Order : Yes/No
Neutral Citation : Yes/No

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S.M.SUBRAMANIAM, J.
AND
V.SIVAGNANAM, J.

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To

- 1.The Commissioner of Police,
Commissioner Office,
Vepery,
Chennai.
- 2.The Inspector of Police,
P-1, Pulianthope Police Station,
Chennai.

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