



WEB COPY



HCP.No.2348 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.01.2024

CORAM

**THE HON'BLE MR JUSTICE M.S.RAMESH
AND
THE HONOURABLE MR. JUSTICE SUNDER MOHAN**

H.C.P.No.2348 of 2023

Noorjahan

.. Petitioner / mother of the detainee

Vs.

1.The Commissioner of Police,
Avadi, Chennai.

2.The Deputy Commissioner of Police,
Avadi, Chennai.

3.The Inspector of Police,
Avadi Police Station, Avadi, Chennai.

4.Ribaya Ansari

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a writ of Habeas Corpus, directing the respondents to produce the body or person namely, Sahirabanu (25 years) before this Court.



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For Petitioner : Mr.A.Abdul Lathif
For Respondents : Mr.E.Raj Thilak
Additional Public Prosecutor
assisted by
Mr.C.Aravind
for R1 to R3

Mr.R.Sankarasubbu for R4

ORDER

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

The petitioner's daughter who is aged about 25 years, was married to the fourth respondent herein. Alleging that the fourth respondent and her daughter had gone missing about a year and a half back and she was not able to trace her daughter, a complaint has been given to the third respondent police. Since the same was not registered, the present Habeas Corpus Petition has been filed.



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2. In the status report filed by the third respondent, it is stated that the petitioner's complaint in C.S.R.No.1220 of 2023, dated 26.06.2023 was taken up by the Sub Inspector of Police and enquiry has commenced, which is pending.

3.The third respondent police had also produced the petitioner's daughter before us. When we interacted with her, she stated that she is living with her husband, the fourth respondent herein, and she intends to continue to live with him. She also stated that she does not want to live with her father. When the petitioner's daughter, who is a major, has taken a conscious decision to live with the fourth respondent and the status report of the third respondent also does not indicate that the petitioner's daughter is under illegal custody of the fourth respondent herein, we are unable to entertain the prayer sought for in the present Habeas Corpus Petition.



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M.S.RAMESH,J.
and
SUNDER MOHAN,J.

Anu

4. Accordingly, this Habeas Corpus Petition stands closed.

(M.S.R.,J.) (S.M.,J.)
18.01.2024

NCC : Yes / No

Index : Yes / No

Anu

To

1. The Commissioner of Police,
Avadi, Chennai.

2. The Deputy Commissioner of Police,
Avadi, Chennai.

3. The Inspector of Police,
Avadi Police Station, Avadi, Chennai.

4. The Additional Public Prosecutor,
Madras High Court

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