



WEB COPY



HCP.No.587 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.03.2025

CORAM :

THE HONOURABLE MR. JUSTICE M.S. RAMESH

AND

THE HONOURABLE MR. JUSTICE N.SENTHILKUMAR

H.C.P.No.587 of 2025

Ayesha Mariam

Petitioner(s)

Vs

1. State Rep By

The Commissioner Of Police - Chennai City,
Chennai City Police Commissionerate Veppery,
Chennai - 600 007.

2.State Rep By

The Inspector Of Police, L & O
J-1, Saidapet Police Station,
Saidapet, Chennai - 600 015.

Respondent(s)

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 of the detune namely Mr.Mohammed Rafi, son of Mr.Jamal Mohammed, aged 55 years before this Court and set him at liberty.



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For Petitioner : Mr.N.Elayaraja
For Respondents : Mr.R.Muniyapparaj
Additional Public Prosecutor
assisted by Mr.M.Sylvester John

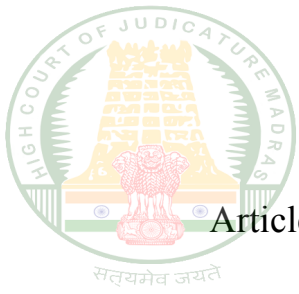
ORDER

M.S.RAMESH, J.
and
N.SENTHILKUMAR, J.

This petition has been filed to direct the respondents to produce the body of the detune namely Mr.Mohammed Rafi, son of Mr.Jamal Mohammed, aged 55 years before this Court and set him at liberty.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondents.

3. In the affidavit filed in support of this petition, there are no averments to the effect that the petitioner's husband is under the illegal or unlawful custody of any third person. Mere assumptions that the petitioner's husband may have been killed by the money lenders or could have been arrested and confined in jail do not give rise to a cause of action invoking



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Article 226 of the Constitution of India for issuance of writ of habeas corpus. As such, the prayer sought for in the present Habeas Corpus Petition cannot be legally sustained.

4. Accordingly, the Habeas Corpus Petition stands dismissed.

[M.S.R., J] [N.S., J]
27.03.2025

Index: Yes/No
Speaking/Non-speaking order
Internet: Yes/No
Neutral Citation: Yes/No
Anu

To

1.The Commissioner Of Police - Chennai City,
Chennai City Police Commissionerate Veppery,
Chennai - 600 007.

2.The Inspector Of Police, L & O
J-1, Saidapet Police Station,
Saidapet, Chennai - 600 015.

3.The Public Prosecutor,
High Court, Madras.



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M.S.RAMESH, J.
and
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Anu

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