



WEB COPY

HCP No. 1866 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-09-2025

CORAM

THE HONOURABLE MRS JUSTICE J. NISHA BANU

AND

THE HONOURABLE MR.JUSTICE S. SOUNTHAR

H.C.P No. 1866 of 2025

1. Katheeja Banu

D/o.Mr.Mohamed Ali Jinna, Residing at
No.78, Karuneegar Street,
Adambakkam, Chennai-600 088.

Petitioner(s)

Vs

1. The Deputy Commissioner of Police,
St.Thamas Mount, Nazarethpuram,
Gandhi Nagar, Chennai-600 089.

2.The Inspector of Police,
S-8, Adambakkam Police Station,
Chennai-600 088.

3.Mujibur Rahman
S/o.Mr.Mohamed Ali Jinna, Currently
Residing at No.99, Lucky Home, First
Floor, Karuneegar Street,
Adambakkam, Chennai-600 088.



Respondent(s)

PRAYER

The present Habeas Corpus Petition is filed under Article 226 of the Constitution of India for the issuance of a Writ of Habeas Corpus directing the 2nd respondent to produce the detenu / petitioner's father namely Mohamed Ali Jinna, aged 83 years before this Court and set him at liberty.

For Petitioner(s): Mr. B.Manikandan

For Respondent(s): Mr.A.Damodaran
Additional Public Prosecutor

ORDER

(Order of the Court was made by J.NISHA BANU, J.)

The present Habeas Corpus Petition is filed to direct the 2nd respondent to produce the detenu / petitioner's father namely, Mohamed Ali Jinna, aged 83 years, before this Court and set him at liberty.

2. When the matter is taken up for hearing today, the learned Additional Public Prosecutor submits that the petitioner herein is the daughter of the detenu. The detenu's son namely, A.M.Mohammed Nazir, had already filed H.C.P.No.891 of 2025 seeking custody of his father and this Court, by order dated 04.06.2025, closed the Habeas Corpus Petition by observing as follows:-

“3. On a perusal of the said statement, we are appraised of the fact that the detenue has expressed his willingness to stay with the fourth respondent herein and has also no objection staying in the care and protection of the petitioner.



WEB COPY

HCP No. 1866 of 2025



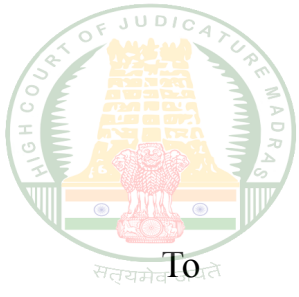
4. In view of the statement of the petitioner's father, we do not claim this to be a case of illegal or unlawful custody. However, by taking into account the fact that the detenue is the father of the petitioner, we hereby grant liberty to the petitioner, to visit his father at the premise of the fourth respondent herein, as and when he wishes to. During such time, the fourth respondent or his family members shall not create any kind of disturbance so as to deprive him of visiting his father."

3. Since the detenu / father of the petitioner namely, Mohamed Ali Jinna, had already expressed his willingness before this Court, to stay with his son namely, Mujibur Rahman / 3rd respondent herein, we are of the considered view that there is no illegal and unlawful custody involved in the present case.

4. Accordingly, the Habeas Corpus Petition is dismissed. However, liberty is granted to the petitioner / daughter of the detenu, to visit her father at the premise of the 3rd respondent herein, as and when she wishes to. During such time, the 3rd respondent or his family members shall not create any kind of disturbance so as to deprive her of visiting her father.

(J.NISHA BANU J.) (S.SOUNTHAR J.)
22-09-2025

ASI



To

WEB COPY

1. The Deputy Commissioner of Police,
St.Thomas Mount, Nazarethpuram,
Gandhi Nagar, Chennai-600 089.

2. The Inspector of Police,
S-8, Adambakkam Police Station,
Chennai-600 088.

3. Mujibur Rahman
S/o. Mr. Mohamed Ali Jinna, Currently
Residing at No.99, Lucky Home, First
Floor, Karuneegar Street,
Adambakkam, Chennai-600 088.

4. The Public Prosecutor,
High Court of Madras, Chennai.



WEB COPY

HCP No. 1866 of 2025



J.NISHA BANU J.
AND
S.SOUNTHAR J.

ASI

H.C.P No. 1866 of 2025

22-09-2025