



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.11.2015

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE P.R.SHIVAKUMAR
and
THE HONOURABLE MR.JUSTICE V.S.RAVI

HABEAS CORPUS PETITION (MD).No.1604 of 2015

M.Sundravalli : Petitioner

Vs.

1.The Superintendent of Police,
District Police Office, Madurai.

2.The Inspector of Police,
Karuppayurani Police Station,
Madurai District.

3.M.Pandi Thevar

4.Selvarani : Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus directing the respondents 1 and 2 to secure and produce the person or body of the detenu, petitioner's husband, namely, Ramar, S/o.Pandi Thevar, aged about 21 years, before this Hon'ble Court and set him at liberty.

For Petitioner : Mr.A.Kannan

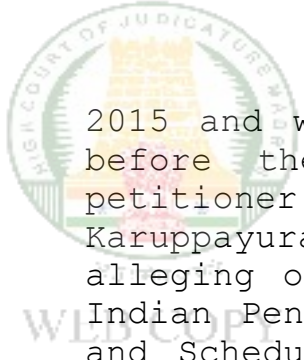
For Respondent Nos.1&2: Mr.R.Ramachandran
Additional Public Prosecutor

O R D E R

[Order of the Court was made by P.R.SHIVAKUMAR, J.]

One, who claims that his name is Raman and not Ramar, has been produced by the police. Mr.A.Kannan, the learned counsel for the petitioner, submits that Ramar mentioned in the petition is Raman produced before this Court.

2. Mr.R.Ramachandran, the learned Additional Public Prosecutor, on instructions from the police, submits that the above said Raman was arrested by the police in Crime No.242 of



2015 and was remanded to judicial custody after he was produced before the Additional Mahila Court, Madurai. It seems, the petitioner lodged a complaint with the Inspector of Police, Karuppayurani Police Station, the second respondent herein, alleging offences under Sections 478, 420, 376 and 506(i) of the Indian Penal Code, r/w Section 3(ii)(vi) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, based on which the above said criminal case was registered and the alleged detenu - Raman was arrested and remanded for criminal offences. The said complaint, according to the particulars furnished by the learned Additional Public Prosecutor, was preferred on 20.11.2015, namely, after the filing of the present Habeas Corpus Petition.

3. In view of the said complaint, in which the alleged detenu was arrested and remanded, the petitioner wants to withdraw the Habeas Corpus Petition. An endorsement to that effect has been made by the learned counsel for the petitioner. The endorsement is recorded and the Habeas Corpus Petition is dismissed as withdrawn. Though it is a fit case for penalizing the petitioner for making use of the writ jurisdiction for ulterior purpose, this Court stops with warning the petitioner.

Sd/-

Assistant Registrar(T&P)

/True Copy/

Sub-Assistant Registrar

To

1.The Superintendent of Police,
District Police Office, Madurai.

2.The Inspector or Police,
Karuppayurani Police Station,
Madurai District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 cc to M/s.A.Kannan, Advocate, SR.No.67611

NB

RL/5c/SKS/RR/2/12/2015

ORDER MADE IN
H.C.P. (MD) .No.1604 of 2015