



WEB COPY



HCP No.677 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.04.2023

Coram

The Hon'ble Mr. Justice **M.SUNDAR**
and

The Hon'ble Mr. Justice **M.NIRMAL KUMAR**

H.C.P. No.677 of 2023

Chandran
S/o.Ramanchandran

... Petitioner

Vs.

1.The Superintendent of Police (South)
Puducherry Police Department
Ariyankuppam
Puducherry – 605 007

2. The Inspector of Police
Ariyankuppam Police Station
Puducherry – 605 007

3. Selvam

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of habeas corpus directing the 2nd respondent herein to produce the body of petitioner's son Anil Kumar @ Gnanasekaran aged about 33 years before this Court from the alleged custody of the third respondent and set him at liberty.



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For Petitioner : Mr.K.Sasindran
For Respondents : Mr.K.S.Mohandass
Public Prosecutor (Puducherry)
Assisted by Ms.N.Danalalatchoumy

ORDER

[Order of the Court was made by M.NIRMAL KUMAR, J.]

Learned counsel for petitioner submits that the prayer in the 'Habeas Corpus Petition' ['HCP' for the sake of brevity] has become infructuous since the body has now been located and handed over to the petitioner.

2. Learned Public Prosecutor (Puducherry) submits that body was found floating in the river. Learned prosecutor submits that initially the case was registered under Section 174 of 'The Code of Criminal Procedure, 1973 (2 of 1974)' ['Cr.P.C' for the sake of brevity], thereafter altered to 302 read with Sections 201 and 34 of 'The Indian Penal Code (45 of 1860)' [hereinafter 'IPC' for the sake of convenience and clarity] and investigation is in progress.



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3. The learned counsel for petitioner has also made an enforcement in the case file and a scanned reproduction of the same is as follows:

The prayer of the HCP
has become infructuous.
Hence the HCP may be
dismissed as withdrawn


25/4/2023
Comp. for order
K. S. ANAND

4. Recording the submission of both sides and the endorsement made by the learned counsel for petitioner, this Habeas Corpus Petition is dismissed as withdrawn.

(M.S.J.) (M.N.K.,J.)
25.04.2023

Index : Yes / No
Speaking / Non-speaking
Neutral Citation : Yes / No
gpa



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To

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Puducherry Police Department
Ariyankuppam
Puducherry – 605 007
2. The Inspector of Police
Ariyankuppam Police Station
Puducherry – 605 007
3. The Public Prosecutor,
High Court of Madras, Chennai - 104.



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**M.SUNDAR, J.
and
M.NIRMAL KUMAR, J.**

gpa

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