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HCP No.1203 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.07.2023

CORAM

THE HONOURABLE MR.JUSTICE M.SUNDAR
and

THE HONOURABLE MR.JUSTICE R.SAKTHIVEL

H.C.P.No.1203 of 2023

Gandhimathi
W/o.Shanmugam

.. Petitioner

Vs.

1. The Superintendent of Police
Salem, Salem District.
2. The Inspector of Police
Sankari Police Station
Salem District.
3. Duraiswamy
S/o.Palani
4. Kokila
D/o.Selvam
5. Kuppaiyee
W/o.Selvam

..Respondents

Petition filed under Article 226 of the Constitution of India praying for
issuance of a writ of habeas corpus to direct the respondents 1 and 2 to



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produce the petitioner's husband viz., Shanmugam, son of Pattappan, who is aged about 32 years before this Hon'ble Court and set him at liberty from the hands / illegal custody of respondents 3 to 5.

For Petitioner : Mr.M.Elango
For Respondents : Mr.E.Raj Thilak
Additional Public Prosecutor

ORDER

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

After some arguments, Mr.M.Elango, learned counsel on record for petitioner sought leave of this Court to withdraw the captioned 'Habeas Corpus Petition' ['HCP' for the sake of brevity, convenience and clarity] but made a plea to preserve rights of the petitioner to come up with similar / same petition after adding all necessary parties more particularly wife of third respondent as certain allegations have been made in the affidavit.

2. Learned counsel has made an endorsement in the case file and a scanned reproduction of the same is as follows:



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The petitioner may be
permitted to withdraw
this H.C.P. since wife
of petitioner has not
made any filing.

M. S. J.
10/7/2023

Order for Per

3. Aforementioned endorsement is reiterated in the hearing.

4. In the light of the narrative thus far, captioned HCP is disposed of as withdrawn / closed albeit preserving rights of the petitioner in the aforesaid manner.

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

11.07.2023

Index : Yes / No

Speaking / Non-speaking order

Neutral Citation : Yes / No.

mk

To

1. The Superintendent of Police
Salem, Salem District.
2. The Inspector of Police
Sankari Police Station
Salem District.
3. The Public Prosecutor
High Court, Madras.



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M.SUNDAR, J.,
and
R.SAKTHIVEL, J.,

mk

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