



WEB COPY



HCP No.1450 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.08.2023

CORAM

THE HONOURABLE MR.JUSTICE M.SUNDAR

and

THE HONOURABLE MR.JUSTICE R.SAKTHIVEL

H.C.P.No.1450 of 2023

B.Sri Balaji

S/o.Balasubramanian

.. Petitioner

Vs.

1. The Superintendent of Police
Puducherry.
2. The Inspector of Police
Lawspet Police Station
Lawspet, Puducherry.
..Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of habeas corpus to direct the respondents to produce the body of the petitioner's father Balasubramanian, male, aged about 73 years before this Hon'ble Court and set him liberty.

For Petitioner	:	Mr.U.Devasenathipathi
For Respondents	:	Mr.M.V.Ramachandramoorthy
		Additional Public Prosecutor (Puducherry)
		assisted by
		Mr.A.Alexander, learned counsel



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ORDER

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

After some arguments, Mr.U.Devasenathipathi, learned counsel on record for the petitioner sought leave of this Court to withdraw the captioned 'Habeas Corpus Petition' [hereinafter 'HCP' for the sake of convenience, clarity and brevity] as there is no allegation of illegal detention or unlawful custody. Learned counsel has made an endorsement in the case file and a scanned reproduction of the same is as follows:

the HCP 1450/2023 with
leave to may be permit to withdrawn
[Signature]
40/09/2023
Counsel for petitioner
U. Devasenathipathi

2. Aforementioned endorsement is reiterated in the hearing and learned counsel makes a request to preserve rights of the petitioner, absentee and or anyone concerned for the absentee to move appropriate Court / Forum / Authority with a suitable petition.



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3. In the light of the narrative thus far, captioned HCP is disposed of as closed / withdrawn albeit preserving rights of the petitioner, absentee and or anyone concerned for the absentee to move appropriate Court / Forum / Authority with a suitable petition. If the appropriate Court / Forum / Authority is moved, the same shall consider the matter on merits and in accordance with law untrammelled by this order.

4. Captioned HCP is disposed of as closed / withdrawn albeit preserving the rights in the aforesaid manner.

(M.S.,J.) (R.S.V.,J.)
03.08.2023

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

To

1. The Superintendent of Police
Puducherry.
2. The Inspector of Police
Lawspet Police Station
Lawspet, Puducherry.
3. The Public Prosecutor
High Court, Madras.



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

mk

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