



H.C.P.No.1551 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :16.08.2023

CORAM
THE HONOURABLE MR.JUSTICE M.SUNDAR
and
THE HONOURABLE MR.JUSTICE R.SAKTHIVEL

H.C.P.No.1551 of 2023

S.Revathi .. Petitioner

Vs.

1. The Inspector of Police
Vellithiruppur Police Station (CSR No.137/2023)
Anthiyur Taluk, Erode District
2. S.Bhuvaneswari .. Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of habeas corpus directing the respondents herein to produce the body of the detenu petitioner's husband by name Kanagaraj, aged about 40 years before this Court and set him at liberty.

For Petitioner : Mr.T.S.Arthanareeswaran
For Respondents : Mr.E.Raj Thilak
Additional Public Prosecutor

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ORDER

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

Mr.T.S.Arthanareeswaran, learned counsel on record for petitioner, who is before us, sought leave of this Court to withdraw the captioned 'Habeas Corpus Petition' ['HCP' for the sake of brevity] as there is no averment of illegal detention / unlawful custody. Learned counsel has made an endorsement in the case file and the same is as follows:

NOT Processed
✓ 16/8/2023
Counsel for the petitioner
T.S. Arthanareeswaran

2. While reiterating the aforementioned endorsement, learned counsel made a request that all the rights of the petitioner or anyone concerned for the absentee may please be preserved for moving the appropriate court with a suitable petition. This request is acceded to. However, we make it clear



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that first respondent police shall proceed with the investigation pursuant to complaint dated 12.07.2023 pending in C.S.R.No.137 of 2023 on its own merits and in accordance with law notwithstanding closure of this HCP. To be noted, two minor children born from the wedlock between the petitioner and the absentee are with the petitioner.

Captioned HCP is disposed of as closed / withdrawn.

(M.S.,J.)

(R.S.V.,J.)

16.08.2023

Index : Yes / No

Speaking / Non-speaking

Neutral Citation : Yes / No

gpa

To

1. The Inspector of Police
Vellithiruppur Police Station
Anthiyur Taluk, Erode District
2. The Public Prosecutor
Madras High Court



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

gpa

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