



WEB COPY



H.C.P.No.1771 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.09.2023

CORAM

THE HONOURABLE MR.JUSTICE M.SUNDAR
and

THE HONOURABLE MR.JUSTICE R.SAKTHIVEL

H.C.P.No.1771 of 2023

Mr.P.Mani

.. Petitioner

Vs.

1. The Commissioner of Police
No.132, Commissioner Office Building
EVK Sampath Road, Vepery, Chennai- 600 007

2. The Inspector of Police
F2, Egmore Police Station
Egmore, Chennai – 600 008

..Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a writ order or direction in the nature of WRIT OF HABEAS CORPUS directing the respondent to produce petitioner daughter namely M.Amirtha, aged about 31 years before this Court and set her at liberty.

For Petitioner : Mr.H.Manojin

For Respondents : Mr.A.Gokulakrishnan
Additional Public Prosecutor

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ORDER

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

After some arguments, Mr.H.Manojin, learned counsel on record for petitioner in 'Habeas Corpus Petition' [hereinafter 'HCP' for the sake of brevity] sought leave of this Court to withdraw the captioned HCP, as there is no averment of illegal detention or unlawful custody either in the complaint dated 03.03.2023 (FIR No.130 of 2023 on the file of Egmore Police Station) or in the support affidavit qua captioned HCP.

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

Petition may be permitted
to Discontinue the
petition
1.11
19/9/23
2896/07
(H. MANOJIN)



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3. Learned counsel reiterated the aforementioned endorsement in the hearing but made a request to preserve all the rights of the petitioner and / or anyone concerned for the petitioner's daughter for moving any other appropriate Court/s/Forum/Fora/ Authority/Authorities. Request acceded to.

4. All rights are preserved in this manner and if any other appropriate Court/s/Forum/Fora/Authority/Authorities is moved with a suitable petition, the same shall be dealt with on its own merits and in accordance with law untrammelled by this withdrawal order qua the captioned HCP.

5. Captioned HCP is disposed of as closed / withdrawn albeit with the aforementioned observations and preservation of rights in the aforesaid manner.

(M.S.,J.)

(R.S.V.,J.)

13.09.2023

Index : Yes/No

Speaking / Non-speaking

Neutral Citation : Yes / No

gpa

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

gpa

To

1. The Commissioner of Police
No.132, Commissioner Office Building
EVK Sampath Road, Vepery, Chennai- 600 007
2. The Inspector of Police
F2, Egmore Police Station
Egmore, Chennai – 600 008
3. The Public Prosecutor
High Court, Madras.

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