



H.C.P.No.1673 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.08.2023

CORAM

THE HONOURABLE MR.JUSTICE M.SUNDAR
and

THE HONOURABLE MR.JUSTICE R.SAKTHIVEL

H.C.P.No.1673 of 2023

Santhosh Kumar
S/o.Seenuvasan

.. Petitioner

Vs.

1. The State rep. by
The Superintendent of Police
O/o. Superintendent of Police Office
Pudukottai District.

2. The Inspector of Police
Alangudi Police Station
Pudukottai District.

3. Selvaraj ..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, to direct the respondents 1 and 2 to produce the petitioner's wife namely viji who is aged about 25 years before this Hon'ble Court and set her at liberty.

Page Nos.1/4



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H.C.P.No.1673 of 2023

For Petitioner : Mr.R.Thirumoorthy
For Respondents : Mr.E.Raj Thilak
Additional Public Prosecutor

ORDER

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

When the captioned matter was taken up, it came to light that the nucleus of the 'Habeas Corpus Petition' [hereinafter 'HCP' for the sake of brevity, convenience and clarity] is a complaint given in Alangudi Police Station, Pudukottai District. Therefore, ideally the captioned HCP has to be filed in Madurai Bench of this Court.

2. Faced with the above situation, Mr.R.Thirumoorthy, learned counsel on record for the petitioner very fairly submitted that leave may be granted to withdraw the captioned HCP but rights and contentions of the petitioner and / or anyone concerned for the absentee may please be preserved for moving Madurai Bench of Madras High Court. Saying so, learned counsel has made an endorsement in the case file and a scanned reproduction of the same is as follows:



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H.C.P.No.1673 of 2023

My penit to not press
with liberty to file H.C.P.
before the court for notes
R. S. V. J. 11/8/2023
R. S. V. J. 11/8/2023
Custodian for petition

3. Aforementioned endorsement is reiterated in the hearing.

4. In the light of the narrative thus far, captioned HCP is disposed of as closed / withdrawn albeit preserving all the rights and contentions of the petitioner and / or anyone concerned for the absentee to move the Madurai Bench of Madras High Court or any other appropriate Court/s/Forum/Fora/Authority/Authorities. Though obvious, we make it clear that we have not expressed any view or opinion on the merits of the matter.

(M.S.,J.)

(R.S.V.,J.)

31.08.2023

Index : Yes/No

Speaking / Non-speaking

Neutral Citation : Yes / No

mk

Page Nos.3/4



WEB COPY



H.C.P.No.1673 of 2023

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

mk

To

1. The State rep. by
The Superintendent of Police
O/o. Superintendent of Police Office
Pudukottai District.
2. The Inspector of Police
Alangudi Police Station
Pudukottai District.
3. The Public Prosecutor
High Court, Madras.

H.C.P.No.1673 of 2023

31.08.2023

Page Nos.4/4