



H.C.P.No.1695 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.09.2023

CORAM

THE HONOURABLE MR.JUSTICE M.SUNDAR
and

THE HONOURABLE MR.JUSTICE R.SAKTHIVEL

H.C.P.No.1695 of 2023

P.Thimmakkal
W/o.Thiru.S.Manickam

.. Petitioner

Vs.

1. State rep. by
The Superintendent of Police
Namakkal District Police Office
Namakkal District.

2. The Inspector of Police
Nallur Police Station
Paramathi-Velur (TK)
Namakkal District.

..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 2nd respondent to produce the body of the petitioners husband Mr.S.Manickam, aged 65 years before this Hon'ble Court and Set him at liberty.



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For Petitioner : Mr.M.K.Bhoopathy Rajan
For Respondents : Mr.E.Raj Thilak
Additional Public Prosecutor

ORDER

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

After some arguments, as it came to light that one Gowthem (Son of absentee according to petitioner) against whom allegation has been made has not been made as a party though his residential address figures in the complaint dated 01.07.2023 (to be noted, even if he is not residing in that address now but that would be the last known residence), learned counsel on record sought leave of this Court to withdraw the captioned 'Habeas Corpus Petition' [hereinafter 'HCP' for the sake of convenience and brevity] but made a request to preserve all rights and contentions of the absentee and / or anyone concerned for the absentee to come up with similar / same prayer, after impleading necessary / proper parties.

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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17/9/2023
Humble may be requested
withdraw the HCP with
liberty file from petition
Copy 286810
Leave for Petitioner
M.K. Srinivasan

3. Learned counsel on record reiterates the aforementioned endorsement.

4. In the light of the aforementioned endorsement and reiteration of the same, captioned HCP is disposed of as withdrawn / closed albeit preserving all the rights and contentions of the petitioner and / anyone concerned for the absentee in the aforesaid manner.

(M.S.,J.)

(R.S.V.,J.)

01.09.2023

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

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

mk

To

1. State rep. by
The Superintendent of Police
Namakkal District Police Office
Namakkal District.
2. The Inspector of Police
Nallur Police Station
Paramathi-Velur (TK)
Namakkal District.
3. The Public Prosecutor
High Court, Madras.

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