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H.C.P.No.1796 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.09.2023

CORAM

THE HONOURABLE MR.JUSTICE M.SUNDAR
and

THE HONOURABLE MR.JUSTICE R.SAKTHIVEL

H.C.P.No.1796 of 2023

V.Sonia Lizy
W/o.P.Suriya

.. Petitioner

Vs.

1. The State represented by its
The Superintendent of Police
Tiruvallur District.

2. The State represented by its
The Sub Inspector of Police
Mappedu Police Station
Tiruvallur 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 1st and 2nd respondents to produce the body of the petitioner's husband P.Suriya, aged 24 years, son of Palaiyappan before this Hon'ble Court.

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

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ORDER

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

After some arguments, Mr.K.R.Pughazhendhi, learned counsel representing the 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 (FIR No.310 of 2023 dated 29.08.2023 on the file of Mappedu Police Station, Tiruvallur) 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 allowed
as withdrawal K.R. Pughazhendhi
K.R. Pughazhendhi
for
for withdrawal
and for
for
16/9/23



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 Captioned HCP is disposed of as closed / withdrawn albeit with the aforementioned observations and preservation of rights in the aforesaid manner.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

15.09.2023

Index : Yes/No

Speaking / Non-speaking

Neutral Citation : Yes / No

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

mk

To

1. The State represented by its
The Superintendent of Police
Tiruvallur District.
2. The State represented by its
The Sub Inspector of Police
Mappedu Police Station
Tiruvallur District.
3. The Public Prosecutor
High Court, Madras.

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