



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Civil Appellate Jurisdiction

Monday, the Seventeenth day of July Two Thousand and Twenty Three

PRESENT

The Hon`ble Dr.Justice G.JAYACHANDRAN

AND

The Hon`ble Mr.Justice SUNDER MOHAN

CRL MP(MD). No.3558 of 2023

in

HCP(MD)No.2030 of 2022

C.Usha

... Petitioner/Petitioner

Vs

1 The Superintendent of Police
Madurai District Madurai.

2 The Commissioner of Police
Madurai City Madurai.

3 The Inspector of Police
(Law and Order) K.Pudur Police Station
Madurai Madurai District.

4 The Inspector of Police
(Law and Order) Appanthirupathi Police Station
Madurai District.

5 Vivek

... Respondents/Respondents

Prayer :-

Petition filed under Article 226 of the Constitution of India To review the order dated 16.12.2022 made in H.C.P.(MD)No.2030 of 2022 to expunge/remove the cost portion alone in Para No.6 of the order and pass such further or other orders as this Hon'ble Court.



Prayer in Habeas Corpus Petition(MD) No. 2030/ 2022 :

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Petition filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus, to directed the 3rd and 4th Respondents to produce the person or body of the Petitioner's husband namely Chowdi, S/o.Oyyappan , Ambalam, aged about 57 years and produce before this court and set him at liberty.

ORDER:- This Petition coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.S.Hameed Ismail Advocate for the Petitioner and of Mr.R.Meenakshi Sundaram Additional Public Prosecutor for the Respondents, this Court made the following order:

(Order of the Court made by Dr.G.Jayachandran, J.)

Mr.S.Hameed Ismail, learned counsel appearing for the petitioner seeks indulgence of this Court to reduce the cost imposed on the petitioner for filing frivolous HCP. The learned counsel further submits that the petitioner has realized her mistake in approaching the Court with false averments, creating sensitive and also abusing the Court process. Therefore, the cost of Rs.1,50,000/- imposed on the petitioner is sought to be reduced.

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2. Considering the said request, the cost of Rs.1,50,000/- is reduced to Rs.30,000/-. The cost of Rs.30,000/- is to be paid by the petitioner to the Legal Aid attached to the Madurai Bench of Madras High Court within a period of four weeks from the date of receipt of a copy of this order. The petitioner shall file the receipt as proof of payment in the Registry at Madurai along with the compliance report. Accordingly, this Criminal Miscellaneous Petition is ordered.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

/07/2023

Sub Assistant Registrar(CS)

TO

1. The Superintendent of Police
Madurai District Madurai.
2. The Commissioner of Police
Madurai City Madurai.
3. The Inspector of Police
(Law and Order) K.Pudur Police Station
Madurai Madurai District.
4. The Inspector of Police
(Law and Order) Appanthirupathi Police
Station Madurai District.



Copy to:

1. The Registrar (Judicial)
Madurai Bench of Madras High Court, Madurai
2. The Legal Aid Service Committee
Madurai Bench of Madras High Court, Madurai
3. The Additional Public prosecutor,
Madurai Bench of Madras High Court, Madurai
4. The Section Officer,
Criminal Section,
Madurai Bench of Madras High Court, Madurai

+ 1cc to Mr.S.Hameed Ismail Advocate CA SrNo.34587/2023

ORDER DATED : 17/07/2023

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ORDER

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CRL MP(MD). No.3558 of 2023
in
HCP(MD) No.2030 of 2022
Giving direction and etc.
as stated within.

KB(26.07.2023) 4P 10C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.

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