



HCP(MD). No.1233 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Criminal Original Jurisdiction

Monday, the Eighteenth day of December Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice M.SUNDAR
AND
The Hon`ble Mr.Justice R. SAKTHIVEL

HCP(MD). No.1233 of 2023

M.Vengadeshan

... Petitioner/Husband

Vs

1 The Superintendent of Police
Dindigul District.

2 The Inspector of Police
All Women Police Station,
Kodaikanal,
Dindigul District.

... Respondents

Prayer :-

This Habeas Corpus Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus or any other order or direction, more in the form on Writ, directing the respondents 1 to 2 herein to secure and produce the detinue, by name Anusiya wife of Vengateshan aged 25 years and Tharsika minor daughter of Venkateshan, aged 3 yrs.



HCP(MD). No.1233 of 2023

ORDER:-

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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.M.Vivekanathan, Advocate for the Petitioner and of Mr.R.Meenakshi Sundaram, Addl.Public Prosecutor, Madurai, for the respondents, this Court made the following order:

(Order of the Court was made by M.SUNDAR,J.,)

Captioned 'Habeas Corpus Petition' [hereinafter 'HCP' for the sake of brevity] was disposed of in and by an order dated 11.10.2023. Though disposed of, captioned HCP was directed to be listed under the cause list caption 'FOR REPORT' owing to certain directives given in the 11.10.2023 order.

2.Today, captioned HCP is listed under the cause list caption 'FOR REPORT'.

3.Mr.R.Meenakshi Sundaram, learned State Additional Public Prosecutor has filed a status report dated 08.11.2023 [status report from second respondent]. The same is on file and Ms.N.Juliet Latha, learned Counsel representing the Counsel on record for the HCP petitioner who is present in Court along with Ms.S.Jainab Beevi, learned Counsel on record for the HCP petitioner have been favoured with a copy of



HCP(MD). No.1233 of 2023

the status report. Learned Counsel for the HCP petitioner submits that the directives in our 11.10.2023 order have since been complied and the HCP petitioner would now be approaching the 'GAWA' Court ['GAWA' stands for 'Guardian and Wards Act'].

4.Though obvious, we make it clear that all the rights and contentions of HCP petitioner, her spouse and / or anyone concerned for the matter are preserved for being canvassed in any Court / Courts / Forum / Fora / Authority / Authorities including the GAWA Court. Any other Court / Courts / Forum / Fora / Authority / Authorities shall decide the matter on its own merits and in accordance with law dehors / untrammelled by orders / proceedings in captioned HCP.

5.In the light of the narrative thus far, Registry need not list the captioned HCP any further.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/01/2024

Sub Assistant Registrar
(CS - I/II/III/IV)

TO

1.The Judicial Magistrat, Coonoor.

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HCP(MD). No.1233 of 2023

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2. The Superintendent of Police
Dindigul District.
3. The Inspector of Police
All Women Police Station,
Kodaikanal,
Dindigul District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai

Copy to:

The Section Officer,
Criminal Section,
Madurai Bench of Madras High Court, Madurai

ORDER DATED : 18/12/2023

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ORDER
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HCP(MD). No.1233 of 2023

Giving direction and etc.
as stated within.

DL/(02.01.2024)/ 4P/6C

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

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