



HCP(MD)No.1198 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 05.10.2023

CORAM:

THE HONOURABLE MR.JUSTICE M.SUNDAR

and

THE HONOURABLE MRS.JUSTICE R.KALAIMATHI

H.C.P.(MD)No.1198 of 2023

Pitchaiah

: Petitioner

Vs.

1.The Inspector of Police,
Alanganallur Police Station,
Madurai District.

2.Nachimuthu

: Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus directing the first respondent to secure the petitioner's daughter by name Kavitha, D/o.Pitchaiah, aged about 20 years and produce her in person on her body and set her at liberty.

For Petitioner : Mr.V.Angusamy

For Respondents : Mr.A.Thiruvadi Kumar,
Additional Public Prosecutor for R1



HCP(MD)No.1198 of 2023

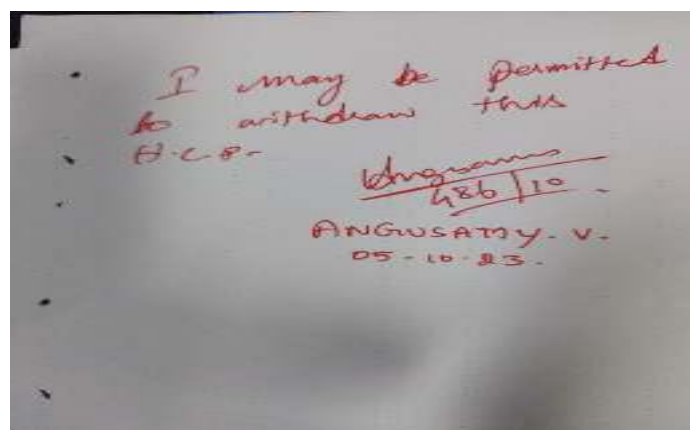
ORDER

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

WEB COPY

After some arguments, as there is no allegation of illegal detention / unlawful custody, learned counsel sought leave to withdraw the captioned 'Habeas Corpus Petition' (hereinafter 'HCP' for the sake of brevity), but made a plea that all the rights and contentions of the petitioner and or any one concerned for petitioner's major daughter aged 20 years (petitioner's daughter shall be referred to as 'absentee' for convenience) may be preserved to pursue other remedies available in other Court / Courts / Forum / Fora / Authority / Authorities.

2. Learned counsel has made an endorsement in the case file and a scanned reproduction of the same is as follows:





HCP(MD)No.1198 of 2023

3. Learned counsel makes a request to preserve all the rights of the petitioner and / or anyone concerned for the absentee to move an appropriate Court / Courts / Forum / Fora / Authorities with a suitable petition, if there is undue delay qua the complaint, which has been lodged by the petitioner. Request acceded to. If the appropriate Court / Courts / Forum / Fora / Authorities are approached with a suitable petition/s, the appropriate Court / Courts / Forum / Fora / Authorities shall consider the same on its own merits and in accordance with law untrammelled by withdrawal of captioned HCP. We also make it clear that if there is any further development leading to illegal detention or unlawful custody, it is well open to the petitioner or any one concerned for the petitioner to come to this Court with the same / similar prayer.

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

[M.S.,J.] & [R.K.M.,J.]

05.10.2023

vsm

Neutral Citation : Yes

Index : Yes

Page 3 of 4



WEB COPY



HCP(MD)No.1198 of 2023

M.SUNDAR, J.

and

R.KALAIMATHI, J.

vsm

To

- 1.The Inspector of Police,
Alanganallur Police Station,
Madurai District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

H.C.P.(MD)No.1198 of 2023

05.10.2023