



H.C.P(MD)No.1201 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.10.2023

CORAM :

THE HONOURABLE MR.JUSTICE **M.SUNDAR**
and
THE HONOURABLE MRS.JUSTICE **R.KALAIMATHI**

H.C.P(MD)No.1201 of 2023

Vellaiammal

... Petitioner

vs.

1. The Superintendent of Police,
Office of the Superintendent of Police,
Dindigul District.

2. The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Ottanchathiram,
Dindigul District.

3. The Inspector of Police,
Kannivadi Police Station,
Dindigul District.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Habeas Corpus, directing the respondents to produce the body or person of the detainee namely, Muthuselvan / the detainee aged 25 years, Son of Rajendran before this Court and set at him liberty.

For Petitioner : Mr.R.Arun Kumar for
Mr.S.Maruthupandian



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For Respondents : Mr.R.Meenakshi Sundaram
Additional Public Prosecutor

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ORDER

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

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 son aged 25 years (petitioner's son 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:

Permit to withdraw
S. Chandrasekhar 4562/19
Counsel for the Petitioner
for R. Arun Kumar
Maruthi Pandian
1649/22
(06-10-23)



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3. 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.)
06.10.2023

Index : Yes/No
Neutral Citation : Yes/No
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To

1. The Superintendent of Police,
Office of the Superintendent of Police,
Dindigul District.



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M.SUNDAR, J.
and
R.KALAIMATHI, J.

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2. The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Ottanchathiram,
Dindigul District.

3. The Inspector of Police,
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ORDER MADE IN
H.C.P(MD)No.1201 of 2023
DATED : 06.10.2023