



H.C.P(MD)No.1280 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.10.2023

CORAM :

THE HONOURABLE MR.JUSTICE **M.SUNDAR**
and
THE HONOURABLE MR.JUSTICE **R.SAKTHIVEL**

H.C.P(MD)No.1280 of 2023

Chitradevi

... Petitioner

vs.

1. The Superintendent of Police,
Virudhunagar District,
Virudhunagar.
2. The Inspector of Police,
Aruppukottai Taluk Police Station,
Virudhunagar District.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Habeas Corpus, directing the respondents 1 and 2 to produce the person or body of the detainee by name Paulraj S/o.Vellaisamy, Male, aged about 47 years before this Court and set him at liberty.

For Petitioner

: Mr.J.Mohamed Ibrahim

For Respondent Nos.1 & 2

: Mr.R.Meenakshi Sundaram
Additional Public Prosecutor



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ORDER

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

Captioned 'Habeas Corpus Petition' ['HCP' for the sake of brevity] has been filed in this Court on 17.10.2023.

2. When the matter was taken up, Mr.J.Mohamed Ibrahim on faced with the situation that there is no allegation of illegal detention or any unlawful custody sought leave of this Court to withdraw the captioned HCP but made a plea to preserve all the rights and contentions of the petitioner and or anyone concerned for the petitioner's spouse for connected/collateral proceedings (pending or to be initiated in future).

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

only be permit to withdraw
from the
Case (Habeas Corpus)
(Criminal Matter)
19/10/23



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4. Request of learned counsel is acceded to. This means that all the rights and contentions of petitioner, petitioner's spouse, absentee and or any other persons concerned with this matter are preserved for being canvassed in connected/collateral proceedings (pending or to be initiated) in any other Court / Courts / Forum / Fora / Authority/ Authorities. We also make it clear that such Court / Courts / Forum / Fora / Authority/ Authorities shall proceed with the matter (pending or to be initiated in future) on its own merits and in accordance with law untrammelled by this order which has been made for the limited purpose of giving a closure to the captioned HCP.

5. Captioned HCP is disposed of as closed/withdrawn albeit with the aforesaid observation and preservations of rights in the aforementioned manner. There shall be no order as to costs.

(M.S., J.) (R.S.V., J.)
19.10.2023

Index : No
Internet : Yes
Neutral Citation : No
PKN



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

PKN

To

1. The Superintendent of Police,
Virudhunagar District,
Virudhunagar.
2. The Inspector of Police,
Aruppukottai Taluk Police Station,
Virudhunagar District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER MADE IN
H.C.P(MD)No.1280 of 2023

19.10.2023