



HCP(MD)No.1324 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 02.11.2023

CORAM:

THE HONOURABLE MR.JUSTICE M.SUNDAR

and

THE HONOURABLE MR.JUSTICE R.SAKTHIVEL

H.C.P.(MD)No.1324 of 2023

Jansirani

: Petitioner

Vs.

1.The Commissioner of Police,
Madurai District.

2.The Inspector of Police,
Keerathurai Police Station,
Madurai District.

: Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Habeas Corpus, directing the respondents 1 and 2 to produce the body or person of the petitioner's daughter namely Selva Maria Fathima, D/o.Raja, aged 17 years, before this Hon'ble Court and handover her custody to the petitioner.



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For Petitioner : Mr.P.Edin Brough

For Respondents : Mr.R.Meenakshi Sundaram,
Addl. Public Prosecutor

ORDER

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

When the matter was taken up, it came to light that there is no allegation of illegal detention or unlawful custody. It also came to light that this is a second episode. Earlier episode was concluded vide a habeas legal drill ie., vide order dated 29.09.2023 in H.C.P.(MD)No.1067 of 2023.

2. We are informed by learned Additional Public Prosecutor, on instructions from the second respondent, that preliminary investigation does not reveal any trappings of illegal custody.

3. Faced with the above situation, learned counsel sought leave to withdraw the captioned HCP but made a plea to preserve all the rights and contentions of the petitioner to come back to this Court or with a suitable petition before an appropriate Court/ s / Forum/ Fora/ Authority/ Authorities



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Request acceded to. Learned Counsel has made an endorsement in the case file and a scanned reproduction of the same is as follows:

Permit to withdraw this
Petition
P. Edinbrough
Counsel for Petitioner
02/11/2023
32

4. In the light of the narrative thus far, captioned HCP is disposed of as withdrawn/closed albeit with the preservation of rights in the aforesaid manner and further observation that investigation shall go on in accordance with law. There shall be no order as to costs.

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

02.11.2023

Neutral Citation : Yes/No
Index : Yes/No
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M.SUNDAR, J.

and

R.SAKTHIVEL, J.

vsm

To

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

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