



HCP(MD)No.1401 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 17.11.2023

CORAM:

THE HONOURABLE MR.JUSTICE M.SUNDAR

and

THE HONOURABLE MR.JUSTICE R.SAKTHIVEL

H.C.P.(MD)No.1401 of 2023

C.Sunthaye

: Petitioner

Vs.

1.The Superintendent of Police,
Office of the Superintendent of Police,
Madurai.

2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Usilampatti, Madurai District.

3.The Inspector of Police,
Usilampatti Taluk 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 to produce the body or person of the petitioner's son namely Eswaran, S/o.Sunthaye aged about 23 years before this Court and set him at liberty.



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For Petitioner : Mr.T.Dinesh for
Mr.S.Ramsundarvijayraj

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

ORDER

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

Inter alia as there is no averment pertaining to illegal detention, learned counsel for petitioner sought leave of this Court to withdraw the captioned 'Habeas Corpus Petition' ['HCP' for the sake brevity]. Learned counsel has made an endorsement in the case file and a scanned reproduction of the same is as follows:

Permit to Withdraw
For. S. Ramsundarvijayraj
T. Dinesh. E.No. 6465/2021
T. D. 17/11/2023



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2. Be that as it may, learned counsel for petitioner made a request to preserve all the rights of the petitioner and / or any one concerned for the petitioner's son to file a suitable petition in an appropriate Court. Request acceded to. It is made clear that if appropriate Court/s/Forum/Fora/Authority/Authorities are moved, the same shall consider the matter on its own merits and in accordance with law de hors the closure / withdrawal of captioned HCP.

3. Captioned HCP is disposed of as closed / withdrawn. If there is any change of circumstances, it is open to the petitioner and / or any one concerned for petitioner's son to come to this Court with the same / similar prayer. There shall be no order as to costs.

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

17.11.2023

Neutral Citation : Yes/No
Index : Yes/No

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and

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vsm

To

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- 2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Usilampatti, Madurai District.
- 3.The Inspector of Police,
Usilampatti Taluk Police Station,
Madurai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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