



HCP(MD)No.1591 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.12.2023

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CORAM:

THE HONOURABLE MR.JUSTICE M.SUNDAR

and

THE HONOURABLE MR.JUSTICE R.SAKTHIVEL

H.C.P.(MD)No.1591 of 2023

P.Sasikumar

: Petitioner

Vs.

1.The Superintendent of Police,
Madurai, Madurai District.

2.The State rep by its
The Inspector of Police,
Austinpatti 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 second respondent to produce the person or body of the petitioner daughter namely S.Mahalakshmi aged about 17 years before this Court and handover the custody of detenu S.Mahalakshmi to the petitioner.

For Petitioner : Mr.K.Dinesh

For Respondents 1&2 : Mr.R.Meenakshi Sundaram
Additional Public Prosecutor



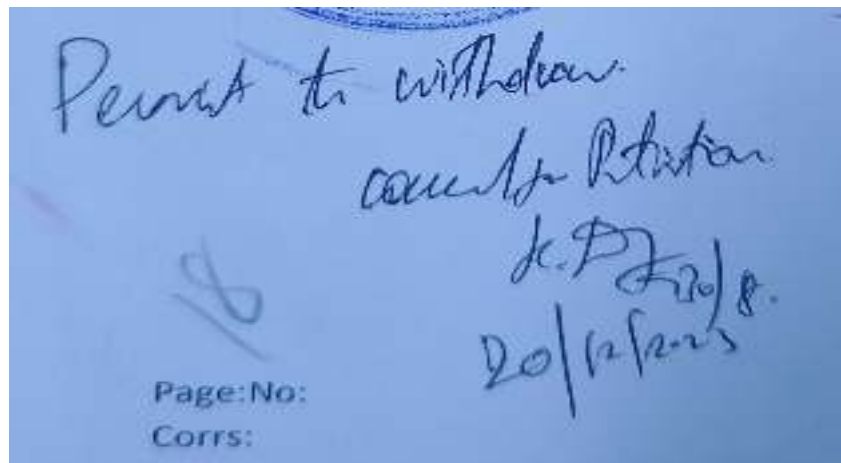
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ORDER

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

When the matter was taken up, it came to light that there is no averment pertaining to illegal detention or unlawful custody. In the aforesaid circumstances, Mr.K.Dinesh, learned Counsel on record for HCP petitioner sought leave of this Court to withdraw the captioned 'Habeas Corpus Petition' [hereinafter 'HCP' for the sake of brevity]. Learned Counsel has made an endorsement in the case file and a scanned reproduction of the same is as follows:



2. Learned Counsel has made a request to preserve all the rights and contentions of the HCP petitioner to approach appropriate Court with a suitable prayer, if there is undue delay in the investigation. Request acceded to.



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3.If the HCP petitioner and / or anyone concerned for the HCP petitioner's daughter approaches an appropriate Court with a suitable petition, the Court / Courts / Forum / Fora / Authority / Authorities shall consider the same on its own merits and in accordance with law de hors the withdrawal of the captioned HCP.

4.We also preserve all the rights and contentions of the HCP petitioner and / or anyone concerned for the HCP petitioner's daughter to come back to this Court with same / similar prayer if there is change in circumstances. Let the investigation proceed in accordance with law.

5.Captioned HCP is disposed of as closed / withdrawn albeit with the aforementioned observation and preservation of rights in the aforesaid manner.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

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

20.12.2023

Index : Yes/No

Internet : Yes/No

Neutral Citation : Yes/No

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To

1.The Superintendent of Police,
Madurai,
Madurai District.

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

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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

MR

ORDER MADE IN
H.C.P.(MD)No.1591 of 2023

20.12.2023