



H.C.P(MD)No.1565 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.12.2023

CORAM :

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

H.C.P(MD)No.1565 of 2023

Arumugam

... Petitioner

vs.

1. The Superintendent of Police,
Thoothukudi District.

2. The Inspector of Police,
Pudukottai Police Station,
Thoothukudi District.

In C.S.R.No.288/2023

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Habeas Corpus, directing the 1st and 2nd respondents to produce the body or the person of the detainee namely Kaliyugaparvathy @ Kalyani, W/o. Arumugam aged about 38 years before this Court and set her liberty.

For Petitioner : Mr.C.Venkatesh
For R1 & R2 : Mr.R.Meenakshi Sundaram
Additional Public Prosecutor



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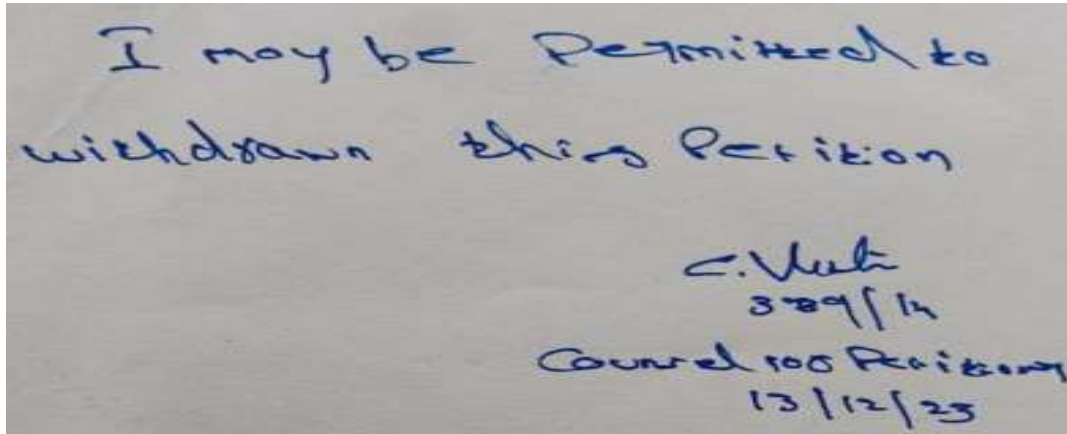


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ORDER

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

When the captioned 'Habeas Corpus Petition' [hereinafter 'HCP' for brevity] was taken up, Mr.C.Venkatesh, learned counsel on record for HCP petitioner sought leave of this Court to withdraw the captioned HCP. Learned counsel has made the following endorsement in the case file and a scanned reproduction of the same is as follows:



2. Learned counsel made a request to preserve all the rights and contentions of HCP petitioner and / or any one concerned for the absentee [we are referring HCP petitioner's wife as 'absentee' solely for the sake of convenience] to approach any other Court / Courts / Forum / Fora / Authorities are approached with suitable petition/s.

3. All the rights contentions of HCP petitioner and / or any one concerned for the absentee are preserved in this regard. If any Court /



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Courts / Forum / Fora / Authorities are approached, the same shall deal with the matter on its own merits and in accordance with law untrammelled by closure / withdrawal of captioned HCP.

4. We also make it clear that the rights of HCP petitioner and / or any one concerned for the absentee, are preserved for coming back to this Court with similar / same prayer if there is any change in circumstances.

5. In the light of the narrative thus far, captioned HCP is disposed of / withdrawn albeit with 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.)
13.12.2023

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

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To

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

ORDER MADE IN
H.C.P(MD)No.1565 of 2023
DATED :13.12.2023