



Crl.O.P.(MD)No.2984 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 27.02.2024

CORAM :

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

Crl.O.P.(MD)No.2984 of 2024

Ariram

...Petitioner

Vs.

1. The Superintendent of Police,
Trichy District.

2. The Inspector of Police,
Vaiyampatty Police Station,
Vaiyampatty,
Trichy District.
(Crime No.37 of 2024)

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the second Respondent to conduct further investigation and complete the enquiry in Crime No.37 of 2024 dated 23.01.2024 to find out the missing women and filed the final report before the learned Judicial Magistrate Court within the time stipulated by this Court.

For Petitioner : Mr.Ganapathi Subramanian

For Respondents : Mr.B.Thanga Aravindh
Government Advocate (Crl. side)



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ORDER

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The learned Counsel for the Petitioner seeks permission of this Court to withdraw this Petition and he has also made an endorsement to that effect.

2.In view of the endorsement made by the learned Counsel for the Petitioner, this Petition is dismissed as withdrawn.

3.The Hon'ble Supreme Court in *Sarguja Transport Service vs State Transport Appellate Tribunal and others*, reported in (1987) 1 SCC 5, held that if a Writ Petition/Original Petition is withdrawn, the party in that Petition cannot file a fresh Petition on the same cause of action. Only if the right to sue for the same cause of action is reserved before seeking dismissal of the suit/Writ Petition as not pressed, he/she can file a fresh Petition. In such cases, if the Writ Petition/suit/Original Petition had been dismissed as withdrawn, the Petitioner in such a case, loses his/her right to file a fresh Writ Petition on the same cause of action.

14.02.2024

Index : Yes/No

Internet: Yes/No

jbr

<https://www.mhc.tn.gov.in/judis>



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To

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



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SATHI KUMAR SUKUMARA KURUP, J.,

jbr

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