

ITEM NO.1 + 17 Court No.1 (Video Conferencing) SECTION II-B  
 S U P R E M E C O U R T O F I N D I A  
 RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (CrI.) No(s). 390/2021

(Arising out of impugned final judgment and order dated 04-01-2021 in WPCRL No. 309/2020 passed by the High Court Of Kerala At Ernakulam)

KAILAS NATARAJAN

Petitioner(s)

VERSUS

THE DISTRICT POLICE CHIEF & ORS.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.5042/2021-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.5043/2021-EXEMPTION FROM FILING AFFIDAVIT and IA No.5044/2021-APPLICATION FOR EXEMPTION FROM FILING ORIGINAL VAKALATNAMA/OTHER DOCUMENT and IA No. 5044/2021 - APPLICATION FOR EXEMPTION FROM FILING ORIGINAL VAKALATNAMA/OTHER DOCUMENT and IA No. 5043/2021 - EXEMPTION FROM FILING AFFIDAVIT and IA No. 5042/2021 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

WITH SLP(CrI.) No.877/2021

(For Admission and I.R. and Appl.(s) being I.A. No.13159/2021 for exemption from filing affidavit)

Date : 01-02-2021 These matters were called on for hearing today.  
 CORAM :

HON'BLE THE CHIEF JUSTICE  
 HON'BLE MR. JUSTICE A.S. BOPANNA  
 HON'BLE MR. JUSTICE V. RAMASUBRAMANIAN

For Petitioner(S) Mr. Gopal Shankarnarayanan, Sr. Adv.  
 Mr. A. Karthik, Aor  
 Mr. C. Unnikrishnan, Adv.  
 Mr. S. Sudheeshkar, Adv.  
 Mr. Arsh Khan, Adv.  
 Ms. Smrithi Suresh, Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following  
 O R D E R

SLP(CrI.) No.390/2021

Mr. Gopal Shankarnarayanan, learned Senior Counsel appearing for the petitioner, states that this petition has now become infructuous.

Hence, the instant special leave petition is disposed of as having become infructuous.

Pending interlocutory applications, if any, stand disposed of.

SLP(Cr1.) No.877/2021

At the hearing of this case, we pointed out to Mr. Gopal Shankarnarayanan, learned Senior Counsel appearing for the petitioner, that we do not see a clear categorical finding of the High Court that the alleged detenu has been illegally detained by her parents. It is obvious that a finding of illegal detention is a sine qua non for the maintainability of a petition for Habeas Corpus.

Mr. Shankarnarayanan, learned Senior Counsel for the petitioner, seeks liberty to withdraw the present petition and approach the High Court for a review on the above point.

Accordingly, the special leave petition is dismissed as withdrawn with the liberty aforesaid.

(SANJAY KUMAR-II)  
ASTT. REGISTRAR-cum-PS

(INDU KUMARI POKHRIYAL)  
ASSISTANT REGISTRAR