



WP(MD) No.2448 of 2015

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

**RESERVED ON: 26.06.2023
PRONOUNCED ON: 06.03.2024**

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

**WP(MD)No.2448 of 2015
and
MP(MD)No.1 of 2015**

Maheswari

Vs

... Petitioner

- 1.The State of Tamil Nadu,
Represented by its Secretary to Government,
Home Department,
Secretariat, Chennai – 9.
- 2.The Director General of Police,
Mylapore,
Chennai.
- 3.The Inspector General of Police,
South Zone,
Madurai.
- 4.The District Collector,
Madurai District,
Madurai.
- 5.The Superintendent of Police,
Madurai District,
Madurai.
- 6.Sakthivel,
Assistant Commissioner,
Madurai City.



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7.Rajapandi,
Inspector of Police,
South Gate Police Station,
Maduari.

8.Chakravarthi
Inspector of Police,
Puthur Police Station,
Madurai.

9.Murugesan,
Special Sub Inspector of Police,
Anna Nagar Police Station,
Madurai.

10.Baskaran
Special Sub Inspector of Police,
Anna Nagar Police Station,
Madurai.

11.Muthaiah,
Police Constable,
Anna Nagar Police Station,
Madurai.

12.Rajuvel,
Police Constable,
Anna Nagar Police Station,
Madurai.

13.Velayuthan,
Police Constable,
Anna Nagar Police Station,
Madurai.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a writ of mandamus directing the respondents 1 to 5 to take appropriate disciplinary action as against respondents 6 to 13 and to pay



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punitive compensation for the death caused to the petitioner's husband namely Esakki Muthu by respondents 6 to 13 with 18% interest per annum based on her representations dated 21.07.2014 and 22.07.2014 within the time limit that may be stipulated by this Court.

For petitioner : Mr.G.Thalaimutharasu
For Respondent : Mr.Veera Kathiravan
Nos.1 to 5 Additional Advocate General
Assisted by Mr.A.Thirumahilmaran,
Additional Public Prosecutor
For Respondent : Mr.V.Kathirvelu,
Nos.6,7,9 to 13 Senior Counsel
for Mr.A.K.Azagarsamy
For Respondent : Mr.M.Subash Babu,
No.8 Senior Counsel
for Mr.S.Maya Perumal

ORDER

This is yet another incident of custodial violence. The petitioner a widow has approached this Court in the year 2014 for a writ of mandamus seeking compensation for the death of her husband Easkki Muthu and also for an appropriate action as against the officials, who are responsible for the cause of the death.



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2.The case of the petitioner is that her husband Esakki Muthu was taken to the Anna Nagar Police Station, Madurai by the police officials on 13.07.2014 under the guise of an enquiry, where he was beaten brutally and he suffered serious injuries. Therefore in order to escape from the consequences, a case was foisted as against her husband for the offence under Section 302 IPC and he was also remanded to judicial custody by the learned Judicial Magistrate No.VI, Madurai on 15.07.2014 at 9.00 pm. On 21.07.2014 her husband died in the prison. The petitioner claims that she had visited her husband in the prison on the date of the incident. During her visit she found that her husband was having multiple injuries and he was not in a position to stand even for three minutes continuously. Considering the cause of death due to multiple injuries, the Superintendent of Prison, Dindigul, lodged a complaint before the Inspector of Police, West Police Station, Dindigul and the same has been registered in Crime No.225 of 2014 on 21.07.2014 under Section 174 CrPC. The learned Counsel for the petitioner further submits that the petitioner is having four children and her husband was the only bread winner of the family. The petitioner having no other scope has approached this Court seeking compensation and appropriate action as against the concerned officials, who are responsible for the death of her husband.



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3.This Court has entertained this writ petition and ordered notice in the year 2015. However, thereafter, the matter was listed only in the month of March 2023. The respondents, who received notice, did not enter appearance. The same was recorded in the order dated 14.03.2023. Only thereafter the respondents filed the counter.

4.In pursuance of the order of this Court dated 19.04.2023, the Superintendent of Police, Dindigul has filed a report on 27.04.2023 stating that the deceased Esakki Muthu, was accused No.5 in Crime No.895 of 2014 registered for the offence under Sections 147,148 and 302 IPC on the file of the Anna Nagar Police Station, Madurai City. He was arrested on 15.07.2014, he was taken for medical examination and was produced before the learned Judicial Magistrate No.VI, who in turn remanded the accused into judicial custody for 15 days in Madurai Prison. The Superintendent of Police, Madurai has re-directed the warrant for judicial custody to the District Prison, Dindigul for the safety of the accused. Accordingly he was shifted to Dindigul, Prison on 15.07.2014, wherein, the Superintendent of Dindigul Prison found the accused with multiple injuries and recorded the same in the jail admission register. The accused was provided with treatment on 16.07.2014, 17.07.2014 and on 19.07.2014 one Dr.Senthilkumar, recommended to shift the accused to the



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Government Hospital, Dindigul. On 21.07.2014 the accused was taken to the Government Hospital, Dindigul and the Doctor who examined the accused at 4.45pm declared the accused 'brought dead'. Subsequently based on the complaint of the petitioner dated 21.07.2014 a case was registered in Crime No. 225 of 2014 under Section 174 CrPC on the file of the Dindigul Town West Police Station and based on the directions of the higher officials, departmental proceedings were initiated as against eight police officials and the same is not yet concluded. The investigation in Crime No.225 of 2014 was also transferred to the CB-CID and once sanction is accorded final report would be filed before the Court concerned. Apart from this a sum of Rs.Five Lakh has been provided to the petitioner as a compensation by the State Government.

5.The 6th respondent/ Inspector of Police, South Gate Police Station, Anna Nagar has filed his counter affidavit stating that the accused has previously undergone open heart surgery and the petitioner's husband died only because of the heart disease and there was no any custodial torture as alleged by the petitioner. Even though the petitioner is not entitled for compensation, a sum of Rs. Five Lakh has been provided to the petitioner.



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6.The 7th respondent / then Inspector of Police, South Gate Police Station, Madurai has filed a counter affidavit stating that the petitioner's husband Esaki Muthu was a habitual offender and he had bad antecedents. He was arrested on 15.07.2014 in connection with his involvement in the murder case of one Jayapandi and he was remanded to judicial custody on 15.07.2017. The petitioner's husband neither faced any harassment nor ill-treatment by the respondents 6 to 13. The medical history of the petitioner's husband shows that he is a heart-patient and he underwent open heart surgery and unfortunately he died while under the judicial custody.

7.The 8th respondent / then Inspector of Police, Puthur Police Station filed a counter affidavit stating that the allegations are made against the Anna Nagar Police Station, whereas he was working in Puthur Police Station. He had neither directly nor indirectly involved in the enquiry, arrest or in the remand. However he has been roped in this case.

8.The 1st and 2nd respondents filed a counter affidavit stating that based on the letter sent by the Commissioner of Police, Madurai city vide D.O.letter in C1/4695/207, dated 06.10.2022 addressed to the office of the Director General of Police, Tamil Nadu with the request to issue necessary orders to initiate



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disciplinary proceedings against the delinquent police officials. In view of the fact the case in Dindigul Town West PS.Cr.No.225/2014 u/s 174 CrPC would now be investigated by the Crime Branch CID which may reveal the involvement of police officials both criminal (amounting to criminal prosecution) as well as misconduct (amounting to the departmental action alone) necessary departmental action would be taken on the submission of report by Crime Branch CID. Crime Branch CID would complete the investigation in a time bound manner, file final report in the jurisdictional Court and also submit its findings with regard to the departmental action qua delinquent officials after which departmental proceedings would also be initiated.

9.This Court considered the rival submissions and perused the materials placed on record.

10.The petitioner's husband, who was remanded to judicial custody died in the prison on 21.07.2014. The Superintendent, District Prison, Dindigul has set the law in motion by lodging a complaint on 21.07.2014 and the same has been registered in Crime No.225 of 2014 on 21.07.2014 under Section 174 CrPC. The crux of the FIR is extracted hereunder:



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“விசாரணை சிறைவாசி எண் 5941 இசக்கி முத்து. து/பெ. செல்வராஜ் 21.07.014 அரசு மருத்துவமனைக்கு சிகிச்சைக்கு ஆயுதப்படை வழிக்காவல் மூலம் அனுப்பி வைக்கப்பட்டவர் இறந்த விபரம் தெரிவித்தல் - வழக்கு பதிவு செய்ய கோருவது தொடர்பாக.

இம்மாவட்ட சிறையின் விசாரணை சிறைவாசியை சிறையில் அனுமதிக்கும்போது இரண்டு கைகளிலும் இரண்டு கால்களிலும் உட்கார்ந்து நடக்க முடியாத நிலையில் இரத்தம் கட்டிய நிலையில் உடல் முழுவதும் அடிப்பட்ட இரத்த காயங்களுடன் மற்றும் ஊமைக்காயங்களுடன் அனுமதிக்கப்பட்டார். அதற்காக பதிவு அன்றைய அனுமதி அலுவலர் திரு ஆதிநாயகம், ஊதவி சிறை அலுவலரால் உரிய பதிவுகள் அனுமதி பதிவேட்டில் பதிவு செய்யப்பட்டுள்ளது என்பதையும் மேலும், 16.07.2014 அன்று திண்டுக்கல் அரசு தலைமை மருத்துவமனை மருத்துவரால் வழங்கப்பட்ட Health Screening Form லும் காயங்களுக்கு சிகிச்சை அளிக்கப்பட்டுள்ளது என்ற விபரமும் மேலும் 17.07.2014 அன்று மாவட்ட சிறைக்கு வருகை புரிந்த திண்டுக்கல் அரசு மருத்துவமனை மருத்துவ அலுவலர் திரு.அன்புசெல்வம் மற்றும் 19.07.2014 அன்று சிறைக்கு வருகை புரிந்த அரசு மருத்துவ அலுவலர் திரு.செந்தில் குமார் அவர்களால் சிகிச்சை அளிக்கப்பட்டுள்ளது என்பதையும் மேலும் 21.07.2014 இன்று இச்சிறைவாசிக்கு மேலும் உடல்நிலை பாதிக்கப்பட்டதால் திண்டுக்கல் ஆயுதப்படை வழிக்காவல் மூலம் வழிக்காவல் கோரப்பட்டு



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SSI திரு.கைலாசம், PC 185 திரு.கனகவேல்பாண்டியன் மற்றும் PC 868 திரு.டேனியல் ஆகியோர்கள் மூலம் சிகிச்சைக்காக இம்மாவட்ட சிறையிலிருந்து 15.55 மணிக்கு திண்டுக்கல் அரசு தலைமை மருத்துவமனைக்கு அனுப்பி வைக்கப்பட்டவர் அரசு மருத்துவமனையில் இச்சிறைவாசியை சுமார் 16.40 மணிக்கு பரிசோதனை செய்த மருத்துவ அலுவலர் இச்சிறைவாசி வரும் வழியில் இறந்து விட்டதாக [brought dead] தகவல் அளித்துள்ளார்”

11.Since the prisoner died while in the judicial custody, a magisterial enquiry was ordered and the learned Chief Judicial Magistrate, Dindigul by his proceedings dated 22.07.2014 has appointed Thiru.CB.Vedagiri, Judicial Magistrate to conduct enquiry under Section 176 (1-A) CrPC on the death of the prisoner Easski Muthu and accordingly the learned Judicial Magistrate conducted enquiry and filed his report on 22.12.2014. The relevant portion of the report of the learned Judicial Magistrate is extracted hereunder:

“இவ்வழக்கில் இறந்த இசக்கி முத்துவை சிறையில் அடைப்பதற்கு முன்பு திண்டுக்கல் அரசு மருத்துவமனை மருத்துவரால் சிகிச்சை அளிக்கப்பட்டதாக கூறப்பட்டுள்ள நிலையிலும், திண்டுக்கல் மாவட்ட சிறையில், கைதிகளை – சிறைவாசிகளை அடைப்பதற்கு முன்பு அங்க மச்ச அடையாளங்கள், கைதிகளின் உடம்பில் உள்ள காயங்கள் (ரத்தம் கட்டிய – கன்றிய காயங்கள்) பற்றி குறிப்பிட்டு (Admission Register) இருப்பதை கருத்திற் கொண்டும்



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திண்டுக்கல் மாவட்ட சிறையில் அடைப்புக் காவலில் இருந்த இசக்கி முத்துவை திண்டுக்கல் அரசு தலைமை மருத்துவ மனையிலிருந்து வந்த மருத்துவர்கள் சிகிச்சை அளிக்கப்பட்டதன் அடிப்படையிலும், பிரேதப் பரிசோதனை செய்த மருத்துவரின் கூற்றுப்பட்யும் இவ்வழக்கில் இறந்த இசக்கி முத்து நீதிமன்றக் காவலுக்கு உட்படுத்துவதற்கு முன்பு அண்ணாநகர் போலீசாரால் அடிக்கப்பட்டு, துன்புறுத்தப்பட்டு, சித்ரவதை செய்யப்பட்டுள்ளார் என்றே இந்நீதிமன்றம் கருதுகின்றது.

56. இசக்கிமுத்துவின் உடம்பில் கை. கால். தொடை ஆகிய இடங்களில் உள்ள காயங்களோடு போலீசார் நீதிமன்றக் காவலுக்கு உட்படுத்தியதாகவே இந்நீதிமன்றம் முடிவு செய்கின்றது. இவ்வாறிருக்க இருதய அறுவை சிகிச்சை செய்த ஒரு நபரை போலீசார் கைது செய்வதற்கு முன்பாக எச்சரிக்கையாக இருந்திருக்க வேண்டும். அவரை சரியான முறையில் நடத்தியிருக்க வேண்டும். அவருக்கு உரிய சாப்பாடு, தண்ணீர் போன்றவற்றை வழங்கியிருக்க வேண்டும். எந்தவித அடியோ, துன்புறுத்தலோ, இல்லாமல் அவரை நீதிமன்றக் காவலுக்கு உட்படுத்தியிருக்க வேண்டும். இவ்வனைத்தையும் E3 அண்ணாநகர் காவல் நிலைய போலீசார் செயல்படுத்தவில்லை என்றே இந்நீதி மன்றம் முடிவு காண்கிறது.



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57.முடிவில், இசக்கி முத்துவின் இறப்பானது E3

அண்ணாநகர் காவல்நிலைய போலீசாரும்
அவர்களுடன் இந்த வழக்கில் புலன் விசாரணைக்கு
உறுதுணையாக இருந்த போலீசாரின் துன்புறுத்தல்
(Custodial torture) தான் காரணம் என்று இந்நீதிமன்றம்
முடிவு காண்கிறது.”

12.Thus the learned Judicial Magistrate after a detailed enquiry has come to a conclusion that the petitioner's husband Esakki Muthu died due to custodial torture by the Police of E3 Anna Nagar Police Station and by the officers, who involved in the investigation. This report was filed on 22.12.2014 itself. Ante-mortem injuries were noticed by the Doctor and it was reported in the postmortem certificate dated 22.07.2014. The Government accepted the report of the learned Judicial Magistrate, Dindigul and has issued a government order in GO.Ms.No.645 Public (Law and Order) Department dated 20.07.2017 and awarded a compensation of Rs.5 Lakh to the legal heirs of the deceased Esakki Muthu. Also directed the District Collector and the Director General of Police to initiate departmental proceedings and criminal prosecution as against the concerned officials of E3 Anna Nagar Police Station and the officers of the Special Team, who are responsible for the death of Essakki Muthu. This Government Order was issued pursuant to the intervention of the National Human Rights Commission, which by its notice dated 18.03.2017 called an



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explanation from the government for not initiating action as against the concerned officials, who are responsible for the death.

13. Based on the above said Government Order, the District Collector, Dindigul by his letter dated 14.08.2017 requested the Commissioner of Police, Madurai to identify the officers from E3 Anna Nagar West Police Station and from the Special Team, who are responsible for the death of the petitioner's husband Esakki Muthu. The Director General of Police has also directed the Commissioner of Police, Madurai by his letter dated 12.10.2017 to enquire into the incident and to send a factual report by fixing responsibilities on the officers concerned. Subsequently after a period of three months, the Commissioner of Police, Madurai city has instructed the Deputy Commissioner of Police, Madurai City to conduct an enquiry and to submit a report by his proceedings dated 01.12.2017. The Deputy Commissioner of Police, Madurai city has delegated this task to the Assistant Commissioner of Anna Nagar Police Station on 05.10.2020. The Assistant Commissioner has taken two years to file his report and he has also filed a report on 28.09.2022 fixing responsibility as against 5 police officers from E3 Anna Nagar West Police Station and 3 officers from the Special Team. He has also fixed the officers, who had retired from service. Thereafter, the Commissioner of Police has recommended for departmental proceedings as against the concerned officers on 6.10.2022.



14. During the course of hearing, this Court has recorded the manner in which the department has attempted to safeguard the erring officials and the attempts made by the department to defeat the claim of the petitioner. This Court has also passed an order directing the investigation to be conducted by the CB-CID. Accordingly, the Director General of Police by his proceedings dated 15.04.2023 transferred the investigation from the file of the Anna Nagar Town Police Station in Crime No.225 of 2014 to the CB-CID, for further investigation. The Inspector of Police, Madurai, CB-CID has also filed a report dated 23.06.2023 before this Court and the same is extracted hereunder:

“24. It is further submitted that further opinion is obtained from the post mortem doctor and concluded that the Police Officials 1) Tr.Rajapandi, then Inspector of Police, Annanagar PS (now at Deputy Superintendent of Police, Porur Sub Division, Coimbatore) 2.Tr.Chakkaravarthy, then Inspector of Police, K.Pudur PS (Now at Assistant Commissioner of Police, Control Room, Madurai City), 3.Tr.Sakthivel, then Assistant Commissioner of Police, Annanagar Range(Rtd), 4) V.P.Saravanan (Now at Gr.I.1476, Mathigiri PS, Krishnagiri District) 5)Tr.Murugesan, then SSI, Annanagar PS (Now at SSI, Ramnad District) 6)Tr.Baskaran, then SSI, Annanagar PS (Rtd SSI) have caused injuries to the deceased Esakkimuthu while he was in police custody. The deceased Esakkimuthu had undergone by-pass injuries would not have cause death. Hence the above said Police officials have to be prosecuted under



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Section 304(ii), 330, 348 and 294(b) IPC.

25. It is further submitted that the sanction for prosecution have to be obtained for the above police officials. After that a final report will be filed against the above said police officials before the concerned court. ”

15.It has become an order in almost all the departments to protect the erring officials. The higher officials have to support their subordinates, who are sincere and honest, but not the ones, who are indulging in the acts in violation of the laws. The police have been provided with lathi and the arms in order to safeguard themselves and the general public, at the same time it cannot be used as a weapon to torture the general public or the offenders.

16.The Tamil Nadu Government is having its own Police Standing Orders, which provide duties and responsibilities of the police officers as under. As per Police Standing Orders,

(i) PSO No.638(1), the prisoners are not to be subjected to needless indignity or harsh treatment

(ii) PSO No.622 Annexure (II)(18) of the new standing orders, the person having custody of an arrested person should take reasonable care of health and safety of the accused.



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(iii) PSO No.622(12) of the new standing orders, the guidelines issued by the Hon'ble Supreme Court in the case of *D.K.Basu Vs State of West Bengal*, reported in 1997 (1) SCC 416, have to be followed while making arrest by police.

(iv) PSO No.622 (13) of new standing order, certain precautionary measures have to be taken in order to avoid death in custody.

17. Section 54 of the CrPC mandates that the arrested person should be examined by a medical officer soon after his arrest and the medical officer is expected to examine the arrested person and record the injuries if any or remarks of violations if any. In order to avoid these types of custodial deaths, the Hon'ble Supreme Court has already issued detailed guidelines in the case of the *D.K.Basu Vs. State of West Bengal* reported in *1997 (1) SCC 416*. Further all the State Governments have also issued circulars directing their officials to follow the guidelines issued by the Hon'ble Supreme Court in D.K.Basu's case.

18. Even before to the D.K.Basu's case, *in Re Sheela Barse Vs State of Maharashtra* reported in *AIR 1983 SC 378*, the Hon'ble Apex Court in order to assure the safety of the accused has mandated that the Magistrate before whom an arrested person is produced shall enquire the arrested person regarding the complaint of torture or mal-treatment in the police custody and the relevant paragraphs are extracted as under:



“5.

(vii) we would direct that the magistrate before whom an arrested person is produced shall enquire from the arrested person whether he has any complaint of torture or maltreatment in police custody and inform him that he has right under [section 54](#) of the Code of Criminal Procedure 1973 to be medically examined. We are aware that [section 54](#) of the Code of Criminal Procedure 1973 undoubtedly provides for examination of an arrested person by a medical practitioner at the request of the arrested person and it is a right conferred on the arrested person. But very often the arrested person is not aware of this right and on account of his ignorance, he is unable to exercise this right even though he may have been tortured or malterated by the police in police lock up. It is for this reason that we are giving a specific direction requiring the magistrate to inform the arrested person about this right of medical examination in case he has any complaint of torture or mal-treatment in police custody.”

19.All these above mentioned guidelines, Rules and Police Standing Orders were issued in order to ensure that even if a person is accused of an offence, such person is not subjected for any harassment or torture during the police or judicial custody.

20.Some of the Police Officers are under the impression that the investigation can be conducted only by way of torture. This attitude of the police officers need to be mended. Even though we are having all the rules and regulations, guidelines as stated above, it is the sad reality that even after so many years of independence, the scenario is not changed.



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21.The deceased hailed from a downtrodden family having four children. Because of the careless and negligent attitude of some of the officials, the petitioner's family is now in the street.The government has provided a sum of Rs.five lakh as compensation to the petitioner's family, this Court is of the opinion the said compensation may not be sufficient for the petitioner to bring up her five children.

22.Though the learned Judicial Magistrate has given a clear finding in the year 2014 itself and it was also accepted by the Government, the officers who were involved in the alleged incident were permitted to work and they were rewarded with promotion. Even now the prosecution has not initiated action as against the officials citing that the sanction is awaited. It is not known how many years would require for obtaining sanction. The fact remains that if the officers involve in custodial torture, the sanction is not at all required. If the authority vested in a public servant, is misused for doing things, which are not otherwise permitted under the law, such acts cannot be protected under Section 197 of CrPC and the action of the police torturing the suspect cannot be considered as discharge of duty or function under the Act or under any other law. This position has already been discussed in detail by the Hon'ble Supreme Court in ***Bhagwan Prasad Shriwastava V/s. N.P. Mishra***, reported in ***(1970) 2 SCC 56***, ***Unnikrishnan And Another vs Puttiyottil Alikutty Anr Another***, reported in ***(2008) 8 SCC page 131.***, ***Choudhury Parveen Sultana V/s. State of West Bengal*** reported in ***(2009) 3 SCC 398***.



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23.The Hon'ble Chief Minister of Tamil Nadu on 10.05.2022 in the Assembly has stated that safety will be ensured in jail. No one will be tortured mentally or physically when in custody. Custodial deaths cannot be justified, irrespective of who the ruling party is' and on 23.03.2023 the Hon'ble Chief Minister has further stated that the Government would not make any compromises in case allegations of violations of human rights during the police custody.

24.The National Human Rights Commission has also taken notice of such issue and on 14.12.1993 has issued certain directions to all the Chief Secretaries of the States in respect of the custodial deaths and the same is extracted as under :

“: The Commission has taken a view that a direction should be issued forthwith to the District Magistrates and Superintendents of Police of every district that they should report to the Secretary General of the Commission about such incidents within 24 hours of occurrence or of these officers having come to know about such incidents. Failure to report promptly would give rise to presumption that there was an attempt to suppress the incident.”

25.Tamil Nadu has a long history of police excess. According to the data from the Lok Sabha, 478 deaths were reported while suspects were in judicial or police custody between 2016-2017 and 2021-22 (upto February 28)



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26.The attitude of some of the police officers has resulted in death of the deceased, even then the administrators are intending to protect them. This attitude has to be deprecated only by stringent actions, otherwise it would encourage these types of custodial torture in future.

27.Even after the sensitive Sathankulam's case, the custodial death and torture are not curtailed in this State. The top officials of the department have to address this issue by taking stringent action as against the concerned officers, who are responsible for the custodial death of the petitioner's husband including the officers, who have attempted to protect them by protracting the departmental proceedings and the officers, who have attempted to close the criminal case.

28.In the result, this writ petition is disposed of with the following directions;

(i) The government shall pass necessary orders providing scholarship to the children of the petitioner for their studies, apart from the compensation already provided.

(ii)The CB-CID shall file the final report without waiting for sanction, as per the orders of the Hon'ble Supreme Court in ***Bhagwan Prasad Shriwastava V/s. N.P. Mishra***, reported in ***(1970) 2 SCC page 56, Unnikrishnan And Another vs Puttiyottil Alikutty Anr Another***,



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reported in (2008) 8 SCC page 131., *Choudhury Parveen Sultana*

V/s. State of West Bengal reported in (2009) 3 SCC 398.

(iii)The Director General of Police shall reopen the departmental proceedings initiated in this case and take appropriate action as against all the officers, who are responsible for the custodial death of the petitioner's husband, including the investigating officer in Crime No.225 of 2014 and the officers, who have deliberately delayed the departmental proceedings for more than four years, including the then Deputy Commissioner and the Assistant Commissioner. No costs. Consequently connected miscellaneous petition is closed.

06.03.2024

Index : Yes / No
Internet : Yes / No
NCC : Yes / No

dsk

To

- 1.The Secretary to Government,
Home Department,
Secretariat, Chennai – 9.
- 2.The Director General of Police,
Mylapore, Chennai.
- 3.The Inspector General of Police,
South Zone, Madurai.



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4.The District Collector,
Madurai District,
Madurai.

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

Copy to

The Inspector of Police,
CB-CID, Madurai.



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B.PUGALENDHI, J.

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