



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14-07-2026

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CORAM

**THE HONOURABLE DR JUSTICE G. JAYACHANDRAN
AND
THE HONOURABLE MRS.JUSTICE N. MALA**

W.P.No.6701 of 2009

1. Chennaiyan, 56 years,
S/o.Sadayan,
S.I. Of Police,
Vaniyambadi Police Station,
Vellore District.

2. Renganathan, aged 60 years,
S/o.Munisamy,
Inspector of Police (Retired)
Vaniyambadi Taluk Police Station,
Vellore District.

... Petitioners

Vs.

1. The Registrar,
State Human Rights Commission,
No.143, P.S.Kumarasamy Raja Salai,
Greenways Road,
Chennai -600 028.

2. Rukmani Ammal, 60 years,
W/o.Duraisamy Achari,
72 Dhannacheri Street,
New Town, Vaniyambadi,
Vellore District.

3.The Superintendent of Police,
Vellore District,
Vellore.

... Respondents

*Cause Title amended as per Court order date 17.04.2009 in W.P.No.6701/2009
M.P.No.1/09 by CJ & FMIKJ.*



Prayer: Writ Petition has been filed under Article 226 of the Constitution of India, to issue Writ of Certiorari to call for the records in SHRC Case No.1347 of 2003, dated 29.9.2008 on the file of 1st respondent herein and quash the same as illegal.

For Petitioners: Mr.R.Sankarasubbu

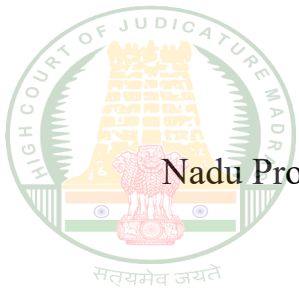
For Respondents: No appearance

ORDER

(Order of the Court was made by G.Jayachandran J.)

The complaint of one Rukmani Ammal alleges that her son, Mohan was taken into illegal custody by the Taluk Police, Ambalur, to satisfy the request of District Munsif-cum-Judicial Magistrate, Vaniyambadi who was irked by the behaviour of Mohan who wished him while the Judicial Officer entered the court premises. The complaint, with the said prelude, alleges that, to please the Judicial Magistrate, Mohan was taken into illegal custody and prohibition case was foisted against him, as if illicit arrack was seized from him.

2. The complaint was denied by the Police Officials stating that Mohan was arrested at Kanavai Pudur Odhai with 25 litres of arrack kept for sale. The incriminating materials were seized under mahazar and samples of the illicit arrack were collected and sent for chemical analysis. After producing Mohan before the Medical Officer, for drunkenness certificate, he was remanded before the Judicial Magistrate in Crime No.111/2003 u/s 4(1)(i),4(1)(A)ii of Tamil



Nadu Prohibition Act.

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3. The State Human Rights Commission, after examining the evidence and the counter filed by the respondents, ignored the medical certificate and the documents produced by the respondents to substantiate their defence and to establish that Mohan and his family are professional bootleggers and false complaint given to obstruct the police officials in discharging their duty. The Commission had concluded that an irresistible inference, rather inescapable conclusion that the 1st respondent/Chennaiyan, Sub Inspector of Police (Crime), Vaniyambadi Taluk, to oblige the District Munsif-cum-Judicial Magistrate, had foisted prohibition case that too of grave nature and recommended payment of compensation of Rs.50,000/- out of which Rs.40,000/- to be paid to Mohan and Rs.10,000/- to his mother, Rukmaniammal, the same to be recovered from the 1st respondent and the 2nd respondent apportioned Rs.40,000/- and Rs.10,000/- respectively.

4. On reading of the impugned order of the State Human Rights Commission, it apparently bristles with prejudice and improper appreciation of evidence. It exceeds jurisdiction by commenting upon the case pending investigation in Crime No.111/03, which according to the Learned Counsel for the petitioner has ultimately got abated since Mohan died. Further, on the date



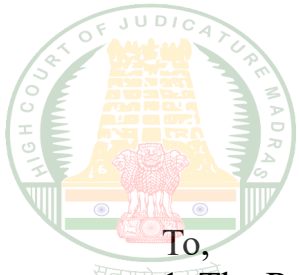
of alleged arrest of Mohan with illicit arrack, he was not in the Court premises to attend C.C.No.174/2002 as found in the complaint and in fact, petition under Section 317 of Cr.P.C., was filed on his behalf to dispense with his personal hearing, which in fact the Commission has totally ignored.

5. We find that the impugned order of the Commission bristles with infirmity, pre-determination and improper appreciation of evidence and therefore requires interference.

6. Accordingly, this *Writ Petition is allowed*. The recommendation of the State Human Rights Commission in Case No.1347 of 2003, dated 29.09.2008 stands quashed. There shall be no order as to costs.

(Dr. G.JAYACHANDRAN, J.) & (N.MALA J.)
14-07-2026

Index :Yes/No.
Neutral Citation :Yes/No.
Internet :Yes
bsm



To,

1. The Registrar,
State Human Rights Commission,
No.143, P.S.Kumarasamy Raja Salai,
Greenways Road,
Chennai -600 028.

2.The Superintendent of Police,
Vellore District,
Vellore.



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Dr. G.JAYACHANDRAN, J.
AND
N.MALA, J.
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