



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-08-2026

CORAM

**THE HONOURABLE DR JUSTICE G. JAYACHANDRAN
AND
THE HONOURABLE MR.JUSTICE E.MANOHARAN**

W.P.No.23997 of 2011

D.Ravi Kumar, M/A 35 Years,
S/o.Mr.C.V.Duraivelu,
No.A/7, Sub Inspector Quarters,
No.152, Arcot Road, Vadapalani,
Chennai – 600 026. ... Petitioner

Vs.

1. The Registrar,
Tamil Nadu State Human Rights Commission,
No.143, P.S.K. Raja Salai (Greenways Road),
Chennai-28.

2. P.Jayasingh,
S/o.Ponraj,
No.38, Vathiyar Thottam,
Ranagarajapuram,
Kodambakkam,
Chennai – 24. ... Respondents

Prayer: Writ Petition has been filed under Article 226 of Constitution of India, to issue writ of certiorari to call for the records of the 1st respondent in SHRC No.9329 of 2008 and 3147 of 2009 dated 04.08.2011 and quash the same.

For Petitioner: Mr.C.Jayavel,
for Mr.R.Ganesh Kumar

For Respondents: No appearance

**ORDER**

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

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The writ petition is filed by the then Sub-Inspector of Police attached to Virugambakkam Police Station, being aggrieved by the recommendation of the Human Rights Commission on the complaint given by one P.Jayasingh alleging Human Rights violation by the petitioner herein while discharging his duty as Sub-Inspector of Police attached to Virugambakkam Police Station.

2. The complaint of P.Jayasingh is that on 06.10.2008, at about 1.30 a.m., when he was in the paper shop at Choolaimedu, the writ petitioner Ravikumar, Sub-Inspector of Police, along with three policeman, came to his shop and forcibly took him in a Tata Sumo car to the Virugambakkam Police Station. He was brutally attacked by them to disclose the whereabouts of one Raja @ Kasi Raja, a suspect in a murder case. On the next day, on hearing his illegal custody, his brother came to the police station and after getting an undertaking from him, he was released. For the injuries sustained, he went to the Royapattah hospital and took treatment. Two days thereafter, he again went to the Royapettah Hospital for treatment of the injuries caused by the police and lodged a complaint before the Human Rights Commission alleging grave violation by taking him illegal custody and causing injury.



3. The complaint was lodged before the Human Rights Commission against the writ petitioner Sub-Inspector (Crime Branch). The complaint was vehemently opposed by the writ petitioner on the ground that he was not the person involved in the alleged incident, since at the relevant point of time he was Sub-Inspector of Police (Law and Order) and not Sub-Inspector of Police (Crime Branch). He had not dealt with the case in any manner and it was one Nandagopal, Sub Inspector of Police, was the person dealing with this case and other murder case involving the complainant and his associates, Raja @ Kasi Raja.

4. The Human Rights Commission, however, on relying upon the evidence of the complainant, his staff and his brother, who were examined as P.W.1 to P.W.3, along with the wound certificate issued by the Doctor, held that the complainant been brutally attacked by the petitioner and caused grave human rights violation.

5. The contention of the respondents, through witnesses, that the petitioner was found roving suspiciously near Virugambakkam Park on the date of incident along with one Adhirajan and therefore was taken to the police station for enquiry and after knowing his identity, undertaking was obtained from him and his brother, was negated by the Human Rights Commission.



6. Challenging the recommendation, the present writ petition is filed on the ground that there is a categorical evidence through R.W.1 Nandagopal that he was in-charge of Virugambakkam Crime and he took the complainant Jayasingh into custody on suspicion and later released him after getting an undertaking. The said fact which has been fortified by the station records, totally ignored by the Human Rights Commission, which blindly accepted the version of the complainant who was co-accused in a murder case and an associates of Raja @ Kasi Raja in another murder case, as gospel truth to hold that the petitioner guilty of human rights violation.

7. The records perused before the Human Rights Commission undoubtedly prove that the writ petitioner was not the Sub-Inspector of Police, Crime Branch, at the relevant point of time. However, the complaint as well as the complainant described him as the Sub-Inspector in-charge of the Crime branch. The falsity and falsehood in the complaint begins at this stage and continues throughout. The version of the complaint is that he was in his shop on the relevant date and was taken into custody forcibly. His version is substantially supported by the evidence of his staff, Thiru.Backiyaraj. However, the Human Rights Commission has failed to take note of the fact that while the complainant (P.W.1) and his staff (P.W.2) allege that the complainant was taken



into custody by the police on 06.10.2008 at about 1.30 a.m., the residence of the complainant and his brother Sundaralingam, was hardly two meters away.

P.W.2 has not explained why, soon after the illegal custody taken by the police, he did not go to the residence of the complainant and informed his brother about this incident. Strangely, his brother Sundaralingam, examined as P.W.3, states that he came to know about this incident only on the next day at 9.00 a.m., when he went to the shop. That apart, regarding the injury, we find that the evidence of the Doctor who treated the complainant shows that the injured person came to the hospital only on 08.10.2006 and four injuries noted on his body, which are all simple in nature. If the injuries were grievous in nature, there is no need for the complainant to get treatment after two day. Thus, the medical certificate also does not implicate the writ petitioner herein in any manner for causing the injury.

8. For all these reasons, we hold that the finding of the Human Rights Commission is contrary to the material evidence placed before it and therefore needs to be interfered.



9. Accordingly, the recommendation of the State Human Rights Commission passed in SHRC.No.9329 of 2008 is set aside. The ***Writ Petition*** ***is allowed.*** There shall be no order as to costs.

(Dr. G.JAYACHANDRAN, J.) & (E.MANOCHARAN, J.)
19-08-2026

Index :Yes/No.
Speaking/Non-speaking order
Neutral Citation :Yes/No.
bsm

To,
The Registrar,
Tamil Nadu State Human Rights Commission,
No.143, P.S.K. Raja Salai (Greenways Road),
Chennai-28.



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W.P.No.23997 of 2



Dr. G.JAYACHANDRAN, J.
AND
E.MANOCHARAN, J.
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