

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.08.2016

CORAM:

THE HON'BLE MR. JUSTICE P.N. PRAKASH

Cr1.O.P. No.17118 of 2016

Veerappan

... Petitioner

Vs.

1. The State represented by
the Home Secretary
Home Department
Government of Tamil Nadu
Secretariat
Chennai 600 009

2. The Superintendent of Police
Cuddalore District
Cuddalore

... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. seeking to direct the respondents to consider the petitioner's representation dated 09.03.2016 and to hold an enquiry under the Police Standing Order 151 against erring police personnel.

For Petitioner : Mr. M. Velmurugan

For Respondents : Mr. C. Emalias
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking a direction to the respondents to consider the petitioner's representation dated 09.03.2016 and to hold an enquiry under the Police Standing Order 151 against erring police personnel.

2. It is seen that this petitioner was arrested along with 2 other accused in Crime No.14 of 2016 for offences under Section 294(b), 447, 431, 434, 353 and 506 (II) IPC and was produced before the District Munsif-cum-Judicial Magistrate, Thittakudi on 26.02.2016. At the time of remand, the co-

accused, viz., Anbazhagan (A1) and Thangappan (A3) did not make any complaint of ill treatment. This petitioner made a complaint to the Magistrate stating that he was slapped by the police, on account of which, one of his teeth was damaged. The Magistrate also recorded the same and remanded the petitioner to custody. After his release from the prison, the petitioner gave a complaint to the Human Rights Commission, based on which, notice was issued by the Commission to the Superintendent of Police to enquire into the matter. The Superintendent of Police referred the matter to the Inspector of Police for enquiry. Mr. K. Sudhakar, Inspector of Police, Avinankudi Police Station, Thittakudi Taluk, has conducted enquiry and has found the allegations to be untrue by a detailed report. That apart, a reading of the complaint dated 08.03.2016 given by the petitioner to the Human Rights Commission, reveals that one Sathasivam, Sub-Inspector of Police, had hit him on his face and stomach. The medical records produced by the petitioner himself in the typed set of papers reads as follows:

"chronic localised periodontitis smokers palate"

This clearly shows that the injury noted by the Magistrate was on account of smoker's palate.

3. In view of the above, this is not a fit case to issue a direction as prayed for by the petitioner. However, the petitioner is at liberty to work out his remedy in the manner known to law.

This Criminal Original Petition stands disposed of with the above observation.

Sd/-
Assistant Registrar(CS II)

//True Copy// सत्यमेव जयते

Sub Assistant Registrar

cad

To

1. The Home Secretary
Home Department
Government of Tamil Nadu
Secretariat
Chennai 600 009

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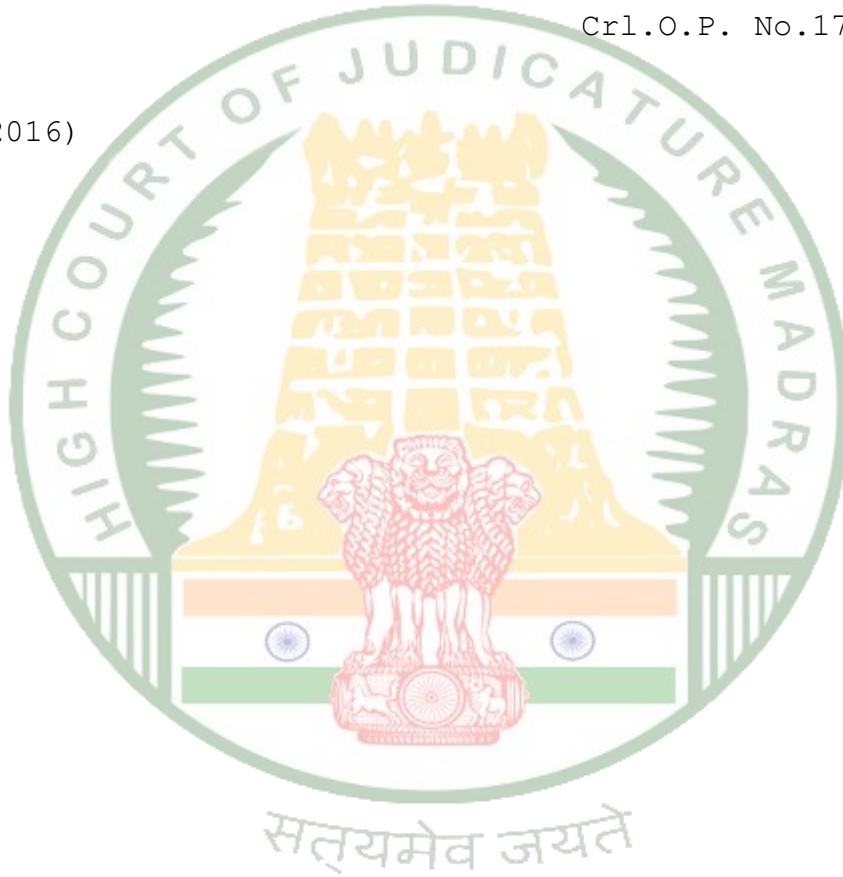
2. The Superintendent of Police
Cuddalore District
Cuddalore

3. The Public Prosecutor
High Court of Madras,
Chennai 600 104

+1cc to Mr.M.Velmurugan, Advocate, S.R.No.46851

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PPA(CO)
CA(01/09/2016)



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