



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09 .03.2016

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THE HONOURABLE MR.JUSTICE P.N.PRAKASH

WEB COPY

W.P. (MD)No.4049 of 2017

R.Ravikumar

... Petitioner

Vs.

1.The Director General of Police,
Police Head Quatres,
Mylapore,Chennai.

2.The Deputy Inspector General of Police,
Dindigul, Seelapadi,
Trichy Main Road,Dindigul District.

3.The Superintendent of Police,
Theni District,Theni

4.The Inspector of Police,
Chinnamanoor Police Station,
Chinnamanoor,Theni District.

5.Mr.N.Seemairaj,
The Inspector of Police,
Chinnamanoor Police Station,
Chinnamanoor,Theni District.

6.The Special Sub Inspector of Police,
Chinnamanoor Police Station,
Chinnamanoor,Theni District.

7.Mr.Kanaga Sundarar,
The Special Sub Inspector of Police,
Chinnamanoor Police Station,
Chinnamanoor,Theni District.

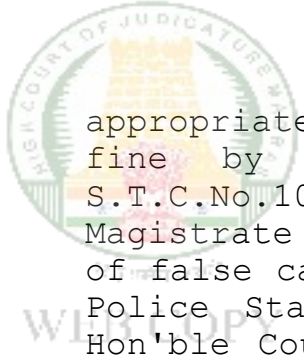
8.The Sub Inspector of Police,
Chinnamanoor Police Station,
Chinnamanoor,Theni District.

9.Mr.N.Muthupandi
The Sub Inspector of Police,
Chinnamanoor Police Station,
Chinnamanoor,Theni District.

10.Mr.P.Nathies Prabu

11.Mr.Akilan

... Respondents



appropriate judicial enquiry into the entire episode of payment of fine by impersonation in the name of the petitioner in S.T.C.No.10402 of 2016 on the file of the learned Judicial Magistrate Uthamapalayam dated 17.11.2016 including the registration of false case in Cr.No.512 of 2016 on the file of the 8th respondent Police Station and to submit a detailed report thereon to this Hon'ble Court and consequently to take Departmental action against the delinquent officers who have committed impersonation and direct the 8th respondent to register appropriate F.I.R. against the 10th respondent.

For Petitioner : Mr.A.S.Saravanan

For Respondent : Mr.T.S.Mohammed Mohideen,

R1 & R2

Additional Government Pleader

ORDER

This Writ Petition has been filed seeking a direction to order appropriate judicial enquiry into the entire episode of payment of fine by impersonation in the name of the petitioner in S.T.C.No.10402 of 2016 on the file of the learned Judicial Magistrate Uthamapalayam dated 17.11.2016 including the registration of false case in Cr.No.512 of 2016 on the file of the 8th respondent Police Station and to submit a detailed report thereon to this Hon'ble Court and consequently to take Departmental action the delinquent officers who have committed impersonation and direct the 8th respondent to register appropriate F.I.R. against the 10th respondent.

2.Heard, Mr.T.S.Mohammed Mohideen, learned Additional Government Pleader for the respondent and Mr.A.S.Saravanan for the petitioner.

3.It is the case of the petitioner that on 21.08.2016, he met with an accident, in connection with which, the respondent registered a case in Crime No.512/2016. According to the petitioner, he was a victim of the accident and that he had not caused the accident. It is his further contention that the Inspector of Police, Chinnamanoor Police Station, completed the investigation in Crime No.512/2016 and filed a final report in STC No.10402/2016 on 09.11.2016. It is his further case that someone impersonate him and appeared before the Learned Judicial Magistrate, Uthamapalayam, on 09.11.2016, in STC No.10402/2016 and pleaded guilty to pay the fine amount of Rs.1,250/-. Therefore, according to the petitioner, a fresh investigation should be conducted in Crime No.512/2016.

4. The learned Additional Government Pleader submitted that the petitioner was drunk on that date and he was admitted in the hospital, where the Doctors have given a report stating that his breath smelt of alcohol. The learned Additional Government Pleader has also produced a report dated 21.08.2016.

5. Be that as it may, in the considered view of this Court, such a direction cannot be issued, because it is the trial Court,



which can conduct an enquiry in respect of such impersonation before the Court. Therefore this petition is closed with the liberty to the petitioner to work out his remedy before the Judicial Magistrate, Uthamapalayam, in the manner known to law.

6. With the aforesaid observations and directions the Writ Petition is closed. No Costs.

Sd/-
Assistant Registrar

/True copy/

Sub Assistant Registrar

To

- 1.The Director General of Police,
Police Head Quatres, Mylapore, Chennai.
 - 2.The Deputy Inspector General of Police,
Dindugal, Seelapadi, Trichy Main Road,
Dindigul District.
 - 3.The Superintendent of Police,
Theni District, Theni
 - 4.The Inspector of Police,
Chinnamanoor Police Station, Chinnamanoor, Theni District.
 - 5.Mr.N.Seemairaj, The Inspector of Police,
Chinnamanoor Police Station, Chinnamanoor, Theni District.
 - 6.The Special Sub Inspector of Police,
Chinnamanoor Police Station,
Chinnamanoor, Theni District.
 - 7.The Sub Inspector of Police,
Chinnamanoor Police Station, Chinnamanoor, Theni District.
 - 8.The Judicial Magistrate, Uthamapalayam.
- +1 CC to M/s.A.SARAVANAN, Advocate, SR No. 13592
+1 CC to M/s.THE SPECIAL GOVERNMENT PLEADER, SR No. 13741
TA/RR
PSM/CM-MSA/SAR2/17.03.2017/3P/11C

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