

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED : 24.07.2019

WEB COPY

CORAM:
THE HONOURABLE MR.JUSTICE **V.BHARATHIDASAN****W.P. (MD) No.16342 of 2019**

S.Annalakshmi

... Petitioner

Vs.

1. The Director General of Police,
State of Tamil Nadu,
Mylapore, Chennai.
2. The Inspector General of Police,
South Zone,
Madurai 625 014.
3. The Superintendent of Police,
Theni District,
Theni.
4. State represented by
the Inspector of Police,
Palanichettypatti Police Station,
Theni District in
Crime No.254/2019.
- 5.V.Murugan
- 6.Selvaraj
- 7.P.Jeyarani
- 8.B.Murugan
- 9.Arumugam
- 10.Nagaraju

... Respondents



Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents 1 to 4 to hold fair and proper enquiry by altering First Information Report, as per content of the F.I.R. in Crime No.254 of 2019 on the file of the fourth respondent and by considering the petitioner's representation, dated 17.06.2019.

For Petitioner : Mr.A.Jeyaram
For R1 to R4 : Mr.K.Suyambulinga Bharathi
Government Advocate (Crl.side)

ORDER

This writ petition has been filed for a direction to the respondents 1 to 4 to conduct a fair investigation in the First Information Report Crime No.254 of 2019 pending on the file of the fourth respondent.

2. According to the petitioner, the petitioner's son by name Ramaraj was implicated in a criminal case and he was arrested and undergone a custodial torture. Thereafter, he was released on 11.05.2019. Subsequently, alleging that on 23.05.2019, the petitioner's son committed suicide due to the police torture, the petitioner has given a complaint before the fourth respondent police and based on the complaint, F.I.R. has been registered on 24.05.2019 in Crime No.254 of 2019 for the offence under Section 174 of Cr.P.C. But, so far no investigation has been conducted. That apart, even though the petitioner has given a complaint against some named accused, since they being the police officials, they are not arrayed as accused. In the above circumstances, the present writ petition has been filed.

3. Today, the learned Government Advocate (Crl.side) on instructions would submit that now the investigation is going on and the investigating officer also recorded the statement of the witnesses, within a period of one month, they will file a final report, and the investigation is also conducted in a fair manner.

4. Considering the fact that the allegations are made against the police personnels of the same police station, the Deputy Superintendent of Police, Theni District, Theni is directed to conduct an investigation and file a final report within a period of one month from the date of receipt of a copy of this order.

5. With the above directions, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-III)

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To

1. The Director General of Police,
State of Tamil Nadu,
Mylapore, Chennai.

2. The Inspector General of Police,
South Zone, Madurai 625 014.

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

4. The Deputy Superintendent of Police,
Theni.

5. The Inspector of Police,
Palanichettypatti Police Station,
Theni District.

+1 CC to Mr.A.JEYARAMAN, Advocate (SR-77370[F] dated 24/07/2019)

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24.07.2019

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