



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.09.2019

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P (MD).No. 19473 of 2019

WEB COPY

L.G.Sarath Inigo

... Petitioner

Vs.

1. The Commissioner of Police
Tirunelveli City
Tirunelveli

2. The Inspector of Police
C-1, Palayamkottai Police Station
Tirunelveli City

... Respondents

Prayer : Writ Petition is filed under Article 226 of Constitution of India, to issue a Writ of Mandamus directing the 2nd respondent to register a case and further direct the 1st respondent to appoint an officer not below the rank of the Assistant Commissioner of Police to investigate the matter.

For Petitioner : Mr.M.Sankar

For Respondents : Mr.K.Suyambulinga Bharathi
Government Advocate(Crl.Side)

ORDER

This Petition has been filed to direct the second respondent to register a case and further direct the 1st respondent to appoint an officer not below the rank of the Assistant Commissioner of Police to investigate the case.

2. The learned Government Advocate(Crl.Side) would submit that on the complaint lodged by one Kathiravan and four others a case has been registered against the petitioner in Crime No.105 of 2019 for the offences under Section 294(b), 506(i) of IPC and Section 3(1)(r),3(1)(a) and 3(2)(va of SC/ST(POA) Act, 2015. In that case when he was arrested and remanded to judicial custody he did not express anything before the remanding Court and also did not express about the injuries sustained by him before the Investigating Officer. Therefore the present complaint is nothing but only to escape from the complaint registered against him in Crime No. 109 of 2019. Therefore they have further investigated the case and closed as 'Action Dropped' and therefore the prayer sought for in the writ petition cannot be considered.



3. Under such circumstance this petition is dismissed as devoid of merits. No costs. However the petitioner is at liberty to approach the concerned court for appropriate relief in the manner known to law.

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Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

To

1. The Commissioner of Police
Tirunelveli City
Tirunelveli
2. The Inspector of Police
C-1, Palayamkottai Police Station
Tirunelveli City

+1 CC to Mr.M.SANKAR, Advocate (SR-86109[F] dated 10/09/2019)

W.P (MD).No.19473 of 2019
09.09.2019

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