



on the basis of the petitioner's representation dated 30.11.2015 in accordance with law within the time stipulated by this Court.

For Petitioner : Mr.R.Alagumani

WEB COPY

For Respondents: Mr.A.Robinson,

Government Advocate.

O R D E R

The petitioner's husband Thiru.Vinoth Pandiyan was implicated in a theft case in Crime Nos.69 and 437 of 2015 and that he was arrested and brought to Melur police station, on 23.11.2015.

2. The case of the petitioner is that he was arrested much earlier as on 23.11.2015 and kept in illegal confinement in the station premises. The petitioner would further allege that her husband was tortured during the said illegal custody. The petitioner had given a representation dated 30.11.2015 in this regard and wants this Court to direct the authorities to take action in the matter.

3. The fifth respondent against whom the allegations have been levelled has filed a counter denying the same.

4. Heard the learned counsel on either side.

5. It is seen from the counter affidavit that the parents of the petitioner's husband were murdered and that the petitioner was implicated in the case of revenge murder in Crime No.1099 of 2010. It is of course true that the said case ended in acquittal. There is a case under Section 307 IPC against the petitioner's husband in



Crime No.782 of 2014. He is admittedly an accused in the aforesaid two theft cases. It is specifically stated in the counter affidavit that based on the confession of the petitioner's husband, stolen jewellery worth about 5 $\frac{3}{4}$ sovereigns were recovered.

6. It is not the case of the petitioner that her husband suffered any fracture or bleeding injury. When the petitioner's husband was produced for remand, admittedly, he did not make any complaint. Thus, there is nothing on record to substantiate the case of the petitioner except her own averments.

7. We are now in the year 2019. During the last four years, the petitioner's husband has not come under the adverse notice of Melur police station. If the fifth respondent has any illegal intention, certainly the same would have been expressed in some form or other.

8. Therefore, taking note of all the factors, I am of the view that this is not a case in which the action should be taken against the fifth respondent. The Writ petition stands dismissed. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar(CS)

To

1. The Principal Secretary,
Home, Prohibition and Excise Department,
Secretariat, Fort. St. George,
Chennai

<https://hcservices.ecourts.gov.in/hcservices/>



2. The Director General of Police,
Office of the Director General of Police,
Mylapore, Chennai.
3. The Inspector General of Police,
South Zone,
Office of the Inspector General of Police,
Alagarcoil Road,
Madurai.
4. The Superintendent of Police,
Office of the Superintendent of Police,
Madurai District.
5. The Inspector of Police,
Melur Police Station,
Melur, Madurai.
6. The Dean,
Government Rajaji Hospital,
Madurai.
7. The Superintendent of Police,
Madurai Central Prison,
Madurai.

W.P. (MD) No.22356 of 2015
25.10.2019

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SDS (12.12.2019) 4P 8C