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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 08.10.2020

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN  
AND  
THE HONOURABLE MRS. JUSTICE R.HEMALATHA

WP.No.14114/2020

B.Baskar

.. Petitioner

Versus

1. State of Tamilnadu  
rep.through its Superintendent of Police  
Salem District, Salem.

2. The Inspector of Police  
Thevoor Police Station  
Salem District.

.. Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the 1st and 2nd respondents to submit a report on the death of Saravanan and entrust further investigation preferable by the State of Tamil Nadu CBCID or the Union Government of India CBI to get complete natural justice of deceased Saravanan and his family members within a time frame fixed by this Court.

For Petitioner : Dr.S.K.Saamy

For Respondents : Mr.R.Vijayakumar, AGP

ORDER

- (1)By consent, the writ petition is taken up for final disposal and is disposed of by this order.
- (2)Mr.R.Vijayakumar, learned Additional Government Pleader accepts notice on behalf of respondents.
- (3)The petitioner claims to be a volunteer of Tamil Nadu Hindu People Protection Force, which is a Divisional unit of Tamil Nadu Munnetra Kazhagam and according to him, the 2nd respondent has registered a case in Crime No.261 of 2020 under Section 174 of Cr.P.C., on 20.08.2020 based on the complaint given by Tmt.Shanthi, W/o.Saravanan, who was found dead at about 7.00 p.m. on 20.08.2020.
- (4)The learned counsel for the petitioner would submit that the said Saravanan had committed suicide and before he done so, has



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- recorded a video message stating that he is forced to away his own life because of the torture and mental agony inflicted by the Sub Inspector of Police, viz., Anthony Michel. It is the further submission of the learned counsel that in the light of the said facts and circumstances, it is obligatory on the part of the respondents 1 and 2 to submit a Report on the death of Saravanan and entrust the further investigation preferably by CBCID or CBI and prays for appropriate orders.
- (5) Per contra, Mr.R.Vijayakumar, learned Additional Government Pleader appearing on behalf of the respondents would submit that with regard to the alleged abatement on the part of the Sub Inspector of Police, viz., Anthony Michel, so far no complaint has been given and since the investigation is also going on in respect of the complaint given by the wife of the deceased Saravanan, viz., Mrs.Shanthi, in Crime No.261 of 2020 by the 2nd respondent Police, the said aspect would also be taken note of and prays for dismissal of this writ petition.
- (6) This Court has carefully considered the rival submissions and also perused the materials placed before it.
- (7) Even according to the petitioner, the deceased Saravanan said to have committed suicide and he left a video message stating that he is forced to take away his own life on account of the torture and mental agony inflicted by the Sub Inspector of Police, viz., Anthony Michel and admittedly, with regard to the said alleged harassment on the part of the said police official, so far no complaint has been lodged.
- (8) A copy of the alleged video message recorded in the Compact Disc [CD] is also made available to this Court in the form of typed set of documents.
- (9) This Court, taking into consideration the above facts and circumstances, permits the 2nd respondent to continue with the investigation of the case in Crime No.261 of 2020 and also take note of the alleged video message of the deceased Saravanan recorded in the Compact Disc for the purpose of investigation and carry out the investigation in a qualitative manner and file the final report as expeditiously as possible in accordance with law. The 1st respondent is also directed to monitor the investigation of the case in Crime No.261 of 2020 being done by the 2nd respondent.
- (10) The writ petition stands disposed of accordingly. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar



AP

To

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- 1.The Superintendent of Police  
State of Tamilnadu  
Salem District, Salem.
- 2.The Inspector of Police  
Thevoor Police Station  
Salem District

WP.No.14114/2020

MTI (CO)  
RMP (09/11/2020)