

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.10.2020

CORAM

THE HON'BLE Mr. JUSTICE P.N. PRAKASH

Crl.O.P.No.1680 of 2017
and Crl.M.P.Nos.1207, 1208, 1209 & 1210 of 2017

- 1.P.Tamilmani
- 2.N.Karthik
- 3.S.Kannaiah Joseph
- 4.T.Jaheer Hussain
- 5.J.Karunakkaran
- 6.N.Lakshmanan
- 7.J.Arunprakash
- 8.D.Ayyanar

...Petitioners/Accused

Vs.

1. The Government of Tamil Nadu
Rep. by the Chief Secretary to Government
Chief Secretariat
St.George Fort
Chennai - 600 008.
2. The Secretary to Government
Home Department, Chief Secretariat
St.George Fort
Chennai - 600 008.
3. The Director General of Police
Mylapore
Chennai - 600 004.
4. The Commissioner of Police
Commissioner Office, Veppery
Chennai.
5. The Deputy Commissioner of Police
Deputy Commissioner Office
Mylapore Police Station
Chennai.
6. The Dean
Rajiv Gandhi General Government Hospital
Chennai.

7. The Inspector of Police
D-5, Marina Police Station
Chennai.

...Respondents/Complainant

Criminal Original Petition filed under Section 482 Cr.P.C., praying to direct the respondents 1 to 4 to take action and suspend the erred police officials and initiate suitable departmental proceedings for their involvement of brutal attack made upon the petitioners and others in Crime No.92 of 2017.

For Petitioners : Mr.R.Thirumoorthy

For Respondents : Mr.L.Charles
Government Advocate

O R D E R

This Criminal Original Petition has been filed seeking a direction to direct the respondents 1 to 4 to take action and to initiate suitable departmental proceedings against the erred police officials for their involvement of brutal attack made against the petitioners and others, in Crime No.92 of 2017.

2. This petition is filed by one Perumal, who is the father of the first petitioner, on behalf of his son and other petitioners herein. It is his case that, under the guise of suspicion that the petitioners herein have involved in Jallikattu protest, the 7th respondent-police have arrested the petitioners in Crime No.92 of 2017 for the offences under Sections 147, 148, 294-b, 323, 324, 353, 447, 435, 436, 506(II), 306 IPC and Section 3 of Tamil Nadu Public Property Damages and Losses Act, and that the petitioners were brutally assaulted, and according to him, no treatment was provided to them, inspite of the directions given by the learned XIII Metropolitan Magistrate, Allikulam, Chennai, who refused to remand the petitioners to custody, owing to the injuries sustained by them.

3. Heard the learned counsel for the petitioner and the learned Government Advocate for the respondents.

4. In the opinion of this Court, disputed question of facts cannot be gone into, under Section 482 Cr.P.C., and hence, the prayer sought for by the petitioners cannot be granted. That apart, the Government has appointed a Commission of Inquiry headed by Hon'ble Mr.Justice S.Rajeswaran, former Judge of this Court to enquire into the Jallikattu protest.

5. With the above observation, this Criminal Original Petition is closed, with liberty to the petitioners to work out

their remedies in the manner known to law. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To:

1. The Government of Tamil Nadu
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St.George Fort
Chennai - 600 008.
2. The Secretary to Government
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3. The Director General of Police
Mylapore
Chennai - 600 004.
4. The Commissioner of Police
Commissioner Office, Veppery
Chennai.
5. The Deputy Commissioner of Police
Deputy Commissioner Office
Mylapore Police Station
Chennai.
6. The Dean
Rajiv Gandhi General Government Hospital
Chennai.
7. The Inspector of Police
D-5, Marina Police Station
Chennai.
8. The Public Prosecutor
High Court of Madras.

Cr1.O.P.No.1680 of 2017

MTI (CO)
RV(30/11/2020)