



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.03.2020

CORAM:

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

W.P. (MD)No.6662 of 2016

M.Shabumon

... Petitioner

Vs.

- 1.The State represented by
Secretary to Government,
(Home and Police Department),
St.George Fort, Secretariat,
Chennai.
- 2.The Director General of Police,
Rajaji Salai, Chennai.
- 3.Kalaiselvi
- 4.Rajendran
- 5.Sasi
- 6.Rajamani
- 7.Ravichandran
- 8.Sivaji

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents 1 and 2 to illegalities committed by them in not following the direction of the Hon'ble Apex Court, while arresting the petitioner and to grant compensation of Rs.15,00,000/- for the custodial torture inflicted on the petitioner by considering the representation of the petitioner dated 12.06.2015 within a time frame that may be fixed by this Court.

For Petitioner : Mr.S.C.Herold Singh

For R-1 & R-2 : Mr.S.Chandrasekar
Additional Public Prosecutor

O R D E R

The petitioner herein, seeks mandamus directing the



respondents 1 and 2 to take proper action on the respondents 3 to 8 for illegalities committed by them in not following the direction of the Hon'ble Apex Court, while arresting him and causing the custodial torture.

2. The specific case of the petitioner herein is that he is an innocent person. Due to some enmity, the police man attached to the Kottar Police station, more particularly, the seventh respondent viz., Ravichandran, the Sub Inspector of Police, Ex-Special Branch, had taken him to illegal custody on 18.07.2013 and subjected him to lock up torture and thereafter, all un-solved cases were put against him and remanded to the judicial custody on 31.07.2013. The said illegal foisting of cases against him continued for nearly two years and the learned counsel now says that it continues even now. Hence, the petitioner seeks compensation of Rs.15.00,000/- for the custodial torture inflicted on him and to consider the representation given by him on 12.06.2015 within a time frame.

3. A detailed counter has been filed by the seventh respondent denying all the allegations and pointing out all the accusation towards the petitioner herein about the various theft cases against him in the station in and around the Kanyakumari District. As far as the representation of the petitioner dated 12.06.2015, is concerned, alleging custodial torture and compensation, which is subjected now in this Writ Petition, this Court finds that the petitioner has not placed any supporting documents for the alleged torture and illegal confinement. In the said circumstances, merely based on the written complaint and that too, when the respondent Police could place all the records about criminal activity of the petitioner herein, I am of the opinion that the present Writ Petition without any supporting documents, cannot be entertained. Hence, the Writ Petition stands dismissed.No costs.

Sd/-

Assistant Registrar (Crl.Side)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Tsg

To

1.The Secretary to Government,
(Home and Police Department),
St.George Fort, Secretariat, Chennai.



2.The Director General of Police,
Rajaji Salai, Chennai.

3.The Additional Public Prosecutor
Madurai Bench of Madras High Court
Madurai

+1 CC to M/s.S.C.HEROLD SINGH, Advocate (SR-10592[F] dated
09/03/2020)

W.P. (MD)No.6662 of 2016

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AP(23/03/2020) 3P 5C