



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 02/12/2020

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PRESENT

The Hon'ble Mr.Justice **G.K.ILANTHIRAIYAN**

W.P.(MD)No.20650 of 2017

Rameshkumar

: Petitioner

Vs.

1. The Superintendent of Police,
Kanyakumari District,
Nagercoil.

2. The Deputy Superintendent of Police,
CBCID, Kanyakumari District,
Nagercoil.

3.Sridhar

: 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 second respondent to investigate the matter and to take appropriate action as against the third respondent on the basis of the representation given by the petitioner's wife on 22.02.2017.

For Petitioner : Mr.S.Muniyandi

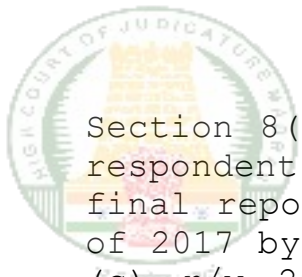
For Respondents : Mr.K.Suyambulinga Bharathi

1 and 2 Government Advocate (Crl. Side)

O R D E R

This Writ Petition has been filed seeking direction to the second respondent to investigate the matter and to take appropriate action as against the third respondent on the basis of the representation given by the petitioner's wife on 22.02.2017.

2.The learned Government Advocate (Crl. Side) appearing for the respondent Police has produced the counter affidavit, which was filed by the respondents 1 to 3 stating that the petitioner's husband is an accused in Crime No.63 of 2017 on the file of the third respondent registered for the offence under



Section 8(c) r/w 20(B)(ii)(b) of NDPS Act. Thereafter, the third respondent police has completed the investigation and also filed a final report and the same has been taken cognizance in C.C.No.275 of 2017 by the E.C.Court, Madurai for the offence under Section 8(c) r/w 20(B)(ii)(b) of NDPS Act and it is pending for trial. Therefore, according to the petitioner's wife, her husband was illegally detained by police officials. Now it is made clear that the petitioner has been arrested and remanded to judicial custody in crime No.63 of 2017 and now it is pending for trial in C.C.No.275 of 2017 on the file of the E.C.Court, Madurai.

3.Recording the same, this writ petition stands dismissed. No costs. The counter complaint was enquired and the same was closed. However, the petitioner is at liberty to work out his remedy before the appropriate forum in the manner known to law, if so advised.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1. The Judge, E.C.Court, Madurai.
2. The Superintendent of Police,
Kanyakumari District, Nagercoil.
- 3.The Deputy Superintendent of Police,
CBCID, Kanyakumari District, Nagercoil.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

W.P. (MD)No.20650 of 2017

02.12.2020