



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.11.2021

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD)No.20209 of 2021

M.Pavunkodi

... Petitioner

Vs.

1.The Director General of Police,
O/o.Director General of Police,
Chennai.

2.The Inspector General of Police,
South Zone, Madurai.

3.The Superintendent of Police,
Madurai District, Madurai.

4.The Superintendent of Police,
Theni District, Theni.

5.The Inspector of Police,
Town police station,
Theni, Theni District.

6.Ravikumar,
Deputy Superintendent of Police,
District Crime Branch,
Madurai District, Madurai.

7.Sudhandhiradevi,
Inspector of Police,
District Crime Branch,
Madurai District, Madurai.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct respondents 1 to 4 herein to conduct enquiry by appointing an enquiry officer in the cadre of Additional Superintendent of Police and also to conduct enquiry in Theni District under the supervision of the fourth respondent herein, considering the place of occurrence in Theni, Theni District and also to take necessary action against respondents 6 and 7 and others for threatening the petitioner, uttering filthy languages and intimidating the son of the petitioner to be killed in custody, thereby committed dereliction in duty and also criminal offence based on the representation dated 24.08.2021.

For Petitioner : Mr.A.Mithun Chakravarthi

For R-1 to R-5 : Mr.T.Senthil Kumar,
Additional Public Prosecutor.



O R D E R

Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for respondents 1 to 5.

2. The petitioner is the mother of a police officer who is an accused in Crime No.18 of 2021 registered on the file of the District Crime Branch, Madurai. The said accused was on the run initially. The allegation of the petitioner is that even though the petitioner has nothing to do with her daughter, the investigation officer, namely, the sixth respondent herein entered her house on 24.08.2021 at about 11.45 a.m., and behaved in an indecent manner. The sixth respondent is said to have used abusive expressions and he had also allegedly threatened the petitioner's son. The sixth respondent catching the collar of the petitioner's son is said to have been captured in the CCTV footage also. The petitioner therefore gave a representation on 24.08.2021 demanding enquiry against the offending officer. Since no action was taken thereon, this present writ petition came to be filed.

3. When the matter was taken up for admission, the learned counsel appearing for the petitioner fairly states that an officer came to the petitioner's house yesterday and also recorded her statement and collected some materials. When the respondents have responded to the petitioner's representation, it will not be appropriate for this Court to entertain this writ petition. At this point of time, the learned Additional Public Prosecutor on instructions states that since the petitioner does not appear to be involved in the acts committed by her daughter, in future the petitioner will not be subjected to any harassment. The learned Additional Public Prosecutor also would deny the allegations made by the petitioner in the affidavit filed in support of this petition. This statement made by the Additional Public Prosecutor is placed on record. If at all, the respondent police wants to enquire the petitioner, they will issue prior written intimation to the petitioner and only thereafter, enquire her in her residence. The petitioner will not be summoned to the office of the District Crime Branch, Madurai.

4. With these directions, this Writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-II)

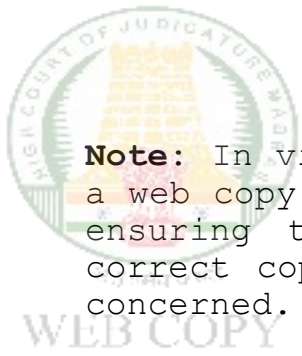
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Sub Assistant Registrar(CS)

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



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 Director General of Police,
O/o.Director General of Police,
Chennai.
- 2.The Inspector General of Police,
South Zone, Madurai.
- 3.The Superintendent of Police,
Madurai District,
Madurai.
- 4.The Superintendent of Police,
Theni District,
Theni.
- 5.The Inspector of Police,
Town police station,
Theni,
Theni District.
- 6.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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