



W.P.No..27209 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 12.10.2022

CORAM:

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

W.P.No.27209 of 2022

Anandharaja

... Petitioner

Vs.

1. The Superintendent of Police,
Cuddalore District, Cuddalore.

2. The Inspector of Police, Thittakudi Police Station,
Cuddalore District.

3. Bakiyaraj

4. Munusamy

... Respondents

Prayer: Writ Petition filed under Section 226 of the Constitution of India seeking to issue a Writ of Mandamus, directing the first respondent to hold an enquiry into the torture by the third and fourth respondent police under the PSO 151 in accordance with law.

For petitioner : Mr.M.Velmurugan

For respondents : Mr.S.Santhosh
Government Advocate (Crl.side)
for R1 and R2



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ORDER

This Writ Petition has been filed seeking to issue a Writ of Mandamus, directing the first respondent to hold an enquiry into the torture by the third and fourth respondent police under the PSO 151 in accordance with law.

2. The learned counsel for the petitioner submitted that on 03.08.2022, the third and fourth respondents, who are the Sub Inspector of Police and Head Constable respectively, attached to the Thittakudi Police Station, Cuddalore District, lodged a false complaint against the petitioner and his friend namely Praveen under Sections 294(b), 353, 506(2) of IPC and Sections 8(c) and 20(b)(ii)(A) of NDPS Act in Crime No.408 of 2022, by misusing their official capacity. He further submitted that the above police officials tortured the petitioner and his friend and also threatened them, not to disclose anything before the Magistrate. Hence, the petitioner made a complaint to the first respondent on 13.08.2022 to hold an enquiry on the police torture under Section 151 of Police Standing Order, but, no action was taken till date. Hence, this writ petition.



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3. The learned Government Advocate (Crl.Side) appearing for the respondents 1 and 2 submitted that the complaint made by the petitioner was received by the first respondent, who in turn, forwarded the same to the Deputy Superintendent of Police, Thittakudi, Cuddalore District for taking necessary action. Now, the Deputy Superintendent of Police, Thittakudi is conducting enquiry.

4. Recording the submissions made by the learned Government Advocate (Crl.Side), the Deputy Superintendent of Police, Thittakudi, Cuddalore District is directed to conduct enquiry upon the complaint made by the petitioner against the third and fourth respondents and to pass orders on its own merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

5. With the above direction, this Writ Petition is disposed of. No costs.

12.10.2022

Index:Yes/No
mst



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1. The Superintendent of Police,
Cuddalore District, Cuddalore.
2. The Inspector of Police, Thittakudi Police Station,
Cuddalore District.
3. The Public Prosecutor,
Madras High Court.



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V.SIVAGNANAM, J.

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