



WEB COPY

W.P.No.29048 of 2022



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.11.2022

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.No.29048 of 2022

R.Mariappan

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Petitioner

versus

1.The Commissioner of Police,
Chennai City, Vepery,
Chennai - 600 007.

2.The Deputy Commissioner of Police,
T.Nagar Range,
T.Nagar, Chennai - 600 017.

3.The Inspector of Police,
E-3 Teynampet Police Station,
Teynampet, Chennai - 600 018.

4.The Inspector of Police,
R-4 Pondibazar Police Station,
Pondibazar, Panagal Park,
T.Nagar, Chennai - 600 017.

5.Inspector of Police,
F-3 Nungambakkam Police Station,
Chennai - 600 034.

6.P.Annadurai

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Respondents



PRAYER: Writ Petition filed under Article 226 of the Constitution of India, seeking for a writ of mandamus, to direct the respondents 1 and 2 to conduct enquiry and initiate appropriate action against the police personnel attached with the 4th and 5th respondent police stations for their illegal acts against the petitioner and his family members at the instance of the 6th respondent.

For Petitioner : Mr.P.Sivamuruganantham

For Respondent Nos.1 to 5 : Mr.S.Santhosh
Government Advocate (Crl. Side)

ORDER

This Writ Petition has been filed seeking for a mandamus to direct the respondents 1 and 2 to conduct enquiry and initiate appropriate action against the police personnel attached with the respondents 4 and 5 for their illegal acts against the petitioner and his family members at the instance of the sixth respondent.

2. The learned counsel for the petitioner submitted that the sixth respondent has filed a complaint against the petitioner for a civil dispute and on the basis of the said complaint, he is being harassed by the respondents 4 and 5 every now and then.



3. The learned Government Advocate (Crl.Side) appearing for the respondents 1 to 5 submitted that on the complaint given by the sixth respondent current paper enquiry was conducted and thereafter, F.I.R. has been registered in Crime No.188 of 2022 by the third respondent police and this petitioner is shown as one of the accused. Since the third respondent police has registered the F.I.R., the petitioner is duty bound to cooperate for the investigation.

4. Since the petitioner is an accused in a case registered against him on the complaint given by the sixth respondent, it is up to him to file a petition for anticipatory bail / bail. If the petitioner feels that a criminal case has been filed against him without any substantial materials, he has to seek remedy in accordance with law. Since the petitioner is one of the accused in a case registered by the third respondent police, such a direction sought by him cannot be given.



5. With these observations, this Writ Petition is dismissed.

No costs.

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Speaking order / Non-speaking order

Index : Yes / No

Internet : Yes

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To

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Pondibazar, Panagal Park,
T.Nagar, Chennai - 600 017.
- 5.The Inspector of Police,
F-3 Nungambakkam Police Station,
Chennai - 600 034.
- 6.The Public Prosecutor,
Madras High Court,
Chennai.



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R.N.MANJULA, J.

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