

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **12.09.2022**

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THE HONOURABLE **MR.JUSTICE N.ANAND VENKATESH**

W.P.(MD)No.11530 of 2013

Muniyandi

... Petitioner

/Vs./

- 1.The Home Secretary,
O/o. The Secretariat,
St.George Fort, Chennai.
- 2.The Director General of Police,
Dr.Radha Krishnan Road, Chennai.
- 3.Inspector General of Police,
South Zone, Old Natham Road,
Pandiyam Hotel Backside, Madurai.
- 4.Commissioner of Police,
O/o.Commissioner of Police,
Near Meenakshi Amman Temple,
Madurai.
- 5.Vella Durai
- 6.Inspector of Police,
Karimedu Police Station,
Madurai City, Madurai.
- 7.The Inspector of Police,
Mathichiyam Police Station,
Madurai.

... Respondents

(R7 suo motu impleaded as party of the respondent as per order dated 23.07.2013)

PRAYER:- Petition - filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, relating to the Crime No.12/2011 U/s. 176 Cr.P.C., pending before JM-II, Madurai and direct the respondents 1 to 3 to direct the respondent 4 to register a case against the 5th and 6th respondents / proposed accused and other police constables who are involved in the murder of the deceased, U/s. 302 of IPC and under Sections 3(1)(ix), 3(2)(v), 3(2)(vii) of SC / ST Act and to file the action taken report and to direct the respondents 1 to 4 to pay adequate compensation to the deceased's family.

For Petitioner : Ms.A.Rajini

For R1 to R4 & R6: Mr.A.Thiruvadi Kumar,
Additional Public Prosecutor.

For R5 : Mr.Anwar Sameem

ORDER

This Writ Petition has been filed for a direction to register a case against the respondents 5 and 6 and other Police Constables and to make them as accused persons in the pending case in Crime No.12 of 2011.

2.Heard Ms.A.Rajini, learned counsel appearing for the petitioner, Mr.A.Thiruvadi Kumar, learned Additional Public Prosecutor appearing for the official respondents and Mr.Anwar Sameem, learned counsel appearing for the fifth respondent.

3. When this writ petition was taken up for hearing, the learned Additional Public Prosecutor appearing for the official respondents, on instructions, submitted that the investigation was transferred to the file of the CBCID and the same was investigated in Crime No.1 of 2018. On completion of the investigation, a closure report was filed as “Action Dropped” before the learned Judicial Magistrate No.IV, Madurai, on 29.04.2019. Thereafter, RCS notice was served on the petitioner in RCS No.15 of 2022 and the case was posted for hearing on 28.02.2022.

4. In view of the above, this Writ Petition is disposed by giving liberty to the petitioner to work out his remedy by filing a protest petition / private complaint and proceed further in accordance with law. No costs.

12.09.2022

Internet : Yes/No
Index : Yes/No
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N.ANAND VENKATESH, J.

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To:

- 1.The Home Secretary,
O/o. The Secretariat,
St.George Fort, Chennai.
- 2.The Director General of Police,
Dr.Radha Krishnan Road, Chennai.
- 3.Inspector General of Police,
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- 4.Commissioner of Police,
O/o.Commissioner of Police,
Near Meenakshi Amman Temple, Madurai.
- 5.Inspector of Police,
Karimedu Police Station,
Madurai City, Madurai.

Order made in
W.P.(MD)No.11530 of 2013

Dated:
12.09.2022