



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.01.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.893 of 2022

N.Poomani

... Petitioner

Vs.

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

2.The Inspector of Police,
Paramakudi Town Police Station,
Paramakudi,
Ramanathapuram District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents to consider the representation of the petitioner, dated 03.01.2022 and to find out the involvement of the petitioner's son Muthumani in the case registered in Crime No.590 of 2021 dated 10.12.2021 on the file of the second Respondent Police by verifying his mobile phone and CCTV records of the Hotel known as 'Akshay Hotel', Madurai, on the date of occurrence.

For Petitioner : Ms.G.Prabhu Rajadurai

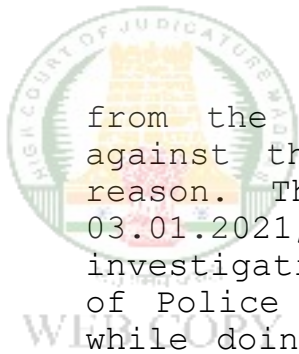
For Respondents : Mr.B.Thanga Aravindh,

Govt. Advocate (Crl. Side) for R1 & R2.

ORDER

Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) for the respondents 1 and 2.

2.One Alagumurugan was attacked on 10.12.2021 and Crime No.590 of 2021 has been registered by the Town Police Station, Paramakudi, in that regard. The defacto complainant is one Vazhivittan, who was also involved during the occurrence. As many as seven persons were mentioned in the First Information Report itself. The specific stand of the petitioner is that the petitioner's son, namely, Muthumani was implicated on the basis of the mistaken identity. The petitioner states that instead of one Token mani, who is also an Auto Driver, the petitioner's son was mistakenly implicated. The further contention is that during the relevant time, her son was in Akshay Hotel, near Periyar Bus Stand, Madurai and there is CCTV footage available to establish the same. The petitioner's counsel wants that there must be a fair investigation. The petitioner has given a further undertaking that if the petitioner's son is deleted



from the final report, she would not initiate any proceedings against the Police Department for wrongful arrest or any other reason. The petitioner has also given a representation, dated 03.01.2021, in that regard. The accused are also entitled to fair investigation. Therefore, the jurisdictional Deputy Superintendent of Police is directed to personally monitor the investigation and while doing so, shall keep in mind the representation made by the petitioner herein.

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

Sd/-

Assistant Registrar (T&P)

// True Copy //

24/01/2022

Sub Assistant Registrar(CS)

dss

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 Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.
- 2.The Deputy Superintendent of Police,
Madurai District, Madurai.
- 3.The Inspector of Police,
Paramakudi Town Police Station,
Paramakudi, Ramanathapuram District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.G.PRABHU RAJADURAI, Advocate (SR-2251[F]
dated 24/01/2022)

W. P (MD) No . 893 of 2022

21.01.2022

TP (CO)

GC (24.01.2022) 2P 6C

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