



W.P(MD) No.7465 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.07.2022

CORAM:

**THE HONOURABLE MR.JUSTICE P.N.PRAKASH
and
THE HONOURABLE MRS.JUSTICE R.HEMALATHA**

**W.P.(MD) No.7465 of 2020
and
WMP(MD) Nos.7831, 8325 and 8543 of 2020**

K.S.Arjunan

... Petitioner

-VS-

- 1.The Government of Tamil Nadu,
Rep. by its Home Secretary,
Secretariat, Fort St.George,
Chennai – 600 009.
- 2.The Director General of Police,
Directorate of Police,
Dr.Radhakrishnan Salai,
Mylapore, Chennai – 600 004.
- 3.The Superintendent of Police,
Thoothukudi District,
Thoothukudi.
- 4.The District Collector,
Thoothukudi District,
Thoothukudi.



W.P(MD) No.7465 of 2020

5.The Superintendent,
Kovilpatti Sub Jail,
Kovilpatti, Thoothukudi District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondents herein to form a Special Investigation Team to investigate into the death of Jayaraj and Benniks in Sub Jail Kovilpatti, Thoothukudi District under the supervision of this Honourable Court as well as to provide one crore rupees as compensation and a government job to the affected family and further direct the respondents to strictly follow the guidelines that may be framed by the Honourable Court with regard to medical examination of arrested persons.

For Petitioner : Mr.L.Shaji Chellan

For Respondents : Mr.Veera Kathiravan,
Additional Advocate General
assisted by
Mr.A.Thiruvadi Kumar,
Additional Public Prosecutor

ORDER

(Made by P.N.PRAKASH, J.)

This public interest litigation has been filed for the above prayer.

2. It is seen that, in this case, this Court had directed the CBI to take over the investigation from the State police, pursuant to which, the



W.P(MD) No.7465 of 2020

CBI had taken up the investigation of the case and had also filed a final report before the jurisdictional Court. We are informed that the matter has been committed to Court of Session and trial is halfway.

3. As regards the further prayer of the petitioner to frame guidelines for medical examination of arrested persons, the same falls within the exclusive policy domain of the executive. We do have Sections 53, 53A, 54, and 55A of the Code of Criminal Procedure, governing the subject.

4. In such view of the matter, nothing survives for adjudication in this writ petition and accordingly, the same is closed. No costs. Consequently, connected miscellaneous petitions are closed.

[P.N.P., J.] [R.H., J.]
21.07.2022

Index : Yes / No
Internet : Yes / No

pkn



W.P(MD) No.7465 of 2020

WEB COPY To:

- 1.The Government of Tamil Nadu,
Rep. by its Home Secretary,
Secretariat, Fort St.George,
Chennai – 600 009.
- 2.The Director General of Police,
Directorate of Police,
Dr.Radhakrishnan Salai,
Mylapore, Chennai – 600 004.
- 3.The Superintendent of Police,
Thoothukudi District,
Thoothukudi.
- 4.The District Collector,
Thoothukudi District,
Thoothukudi.
- 5.The Superintendent,
Kovilpatti Sub Jail,
Kovilpatti, Thoothukudi District.



WEB COPY



W.P(MD) No.7465 of 2020

P.N.PRAKASH, J.
and
R.HEMALATHA, J.

pkn

W.P.(MD) No.7465 of 2020

21.07.2022