



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.06.2022

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

W.P(MD).No.11674 of 2022

M.K.Muthukkumaran

: Petitioner

Vs

1. The Director General of Police,
Office of the Director General of Police,
Dr. Radhakrishnan Salai,
Mylapore, Chennai- 600 004

2. The Inspector General of Police (South Zone),
Office of the Inspector General of Police,
Madurai

3. The Superintendent of Police,
Office of the Superintendent of Police,
Madurai

4. The Deputy Superintendent Of Police,
Office of the Deputy Superintendent of Police,
Oomachikulam,
Madurai

5. The Inspector of Police,
Oomachikulam Police Station, Madurai

6. Kamalamuthu,
The Sub Inspector of Police,
Sathirapatti Police Station, Madurai

7. Thirugnana Samandham,
The Sub Inspector of Police,
Sathirapatti Police Station, Madurai

8. Bala Subramanian,
The Sub Inspector of Police,
Sathirapatti Police Station, Madurai

9.S.Ramalingam

: 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 respondent Nos.1, 2 and 3 to take action against the respondents Nos.4,5,6,7 and 8 for colluding with the respondent No.9 and his men and consequently to provide police protection to the petitioner and his family members from the respondent No.9 and his men, by considering the petitioner's representation, dated 30.05.2022, in accordance with law within the time stipulated by this Court.

For Petitioner : M/s.Alagumani.R,
For R1 to R8 : Mr.M.Sakthi Kumar,
Government Advocate (Crl.Side)

ORDER

This Writ Petition has been filed in the nature of Mandamus, seeking a direction to the respondent Nos.1, 2 and 3 to take action against the respondents Nos.4,5,6,7 and 8 for colluding with the respondent No.9 and his men consequently to provide police protection to the petitioner and his family members from the respondent No.9 and his men, by considering the petitioner's representation, dated 30.05.2022.

2.The learned Counsel appearing for the petitioner submitted that on 22.05.2022 at about 05.00 pm, the petitioner was assaulted by the accused persons, thereafter, he lodged a complaint to the fifth respondent and a case has been registered, but the respondent police has not arrested the accused persons, also not properly investigated, colluded with the accused persons and threatened the petitioner. Hence, the petitioner has given a representation, dated 30.05.2022, to the respondents 1 to 3, seeking to take action against the respondents 4 to 8.

3.The learned Government Advocate (Crl.Side) submitted that based on the complaint lodged by the petitioner, a case has been registered in **(*)Crime No.43 of 2022** for the offence under Sections 294(b), 452, 323, 506(2) of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 1998. Now, the case is under investigation. Further, he stated that the respondent police are not colluded with the accused persons as alleged by the learned Counsel appearing for the petitioner. Since the accused persons are absconded, the respondent police are unable to arrest them.

4.Considering the matter in the light of the submission made by both the Counsels and on a perusal of records, it reveals that on 22.05.2022 at about 05.00 pm when the petitioner's brother walked near the petitioner's house, suddenly more than 12 persons appeared



with dangerous weapons and assaulted his brother. On his the petitioner came out, saw the occurrence and found that the accused persons assaulted his brother. The accused persons also assaulted the petitioner and threatened with dire consequences. Hence, the complaint has been lodged to the fifth respondent and the case has been registered in **(*)Crime No.43 of 2022**, under Sections 294(b), 452, 323, 506(2) of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 1998. So far, the accused persons are not arrested and the investigation is in progress. Under these circumstances, the petitioner gave the representation, dated 30.05.2022, for taking action against the respondents 4 to 8.

5.Considering the submission made by the learned Government Advocate (Crl.Side), the respondent police is directed to speed up the investigation in the case registered in **(*)Crime No. 43 of 2022**, secure the accused persons, produce them before the concerned Judicial Magistrate Court and take further legal action in accordance with law.

6.With the above direction, this writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CO)

(*) Corrected as per the order of this Court dated 08/07/2022 made in W.P(MD).No.11674 of 2022

Sd/-

Assistant Registrar (CO)

// True Copy //

/06/2022

Sub Assistant Registrar(CS)

lr

To :

(*)To be substituted to the order already despatched on 24/06/2022

1. The Director General of Police,
Office of the Director General of Police,
Dr. Radhakrishnan Salai,
Mylapore, Chennai- 600 004.

2. The Inspector General of Police (South Zone),
Office of the Inspector General of Police,
Madurai



3. The Superintendent of Police,
Office of the Superintendent of Police,
Madurai

4. The Deputy Superintendent Of Police,
Office of the Deputy Superintendent of Police,
Oomachikulam,
Madurai

5. The Inspector of Police,
Oomachikulam Police Station, Madurai.

6. The Sub Inspector of Police,
Sathirapatti Police Station, Madurai

7. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.R. ALAGUMANI, Advocate (SR-25689[F] dated 14/06/2022)

W.P(MD) .No.11674 of 2022
14.06.2022

RD(23.06.2022) 4P 8C
RD (15/07/2022) 4P 9C