



W.P.(MD).No.15424 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATE : 15.07.2022

CORAM

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

W.P.(MD).No.15424 of 2022

A.Mathan @ Manmohan

: Petitioner

Vs.

1.The Director General of Police,
Dr.Radhakrishnan Salai,
Mylapore, Chennai - 4.

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

3.The Deputy Superintendent of Police,
Thiruvadanai, Ramanathapuram District.

4.The Inspector of Police,
S.P.Pattinam Police Station,
Ramanathapuram District.
Crime No.108 of 2022.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus, directing the second respondent to consider the petitioner's representation dated 08.07.2022 and consequently, direct the respondents to conduct fair investigation in Crime No.108 of 2022 on the file of the fourth respondent.



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For Petitioner : Mr.P.Muthusamy,
For Respondents : Mr.M.Sakthi Kumar,
Government Advocate (Criminal Side)

ORDER

The Writ Petition has been filed to issue a Writ of Mandamus, to direct the second respondent to consider the petitioner's representation dated 08.07.2022 and consequently, direct the respondents to conduct fair investigation in Crime No.108 of 2022 on the file of the fourth respondent.

2. When the matter is taken up for hearing today, after hearing the submission made by the learned counsel for the petitioner and also the learned Government Advocate (Criminal Side), the matter was passed over for getting instructions from the petitioner.

3.Again when the matter is taken up at 01.30 pm, there is no representation for the petitioner.



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4.The learned Government Advocate (Criminal Side) would submit that FIR came to be registered in Crime No.108 of 2022 for the offence under Sections 147, 148, 294(b), 448, 323, 302 IPC and 4 of TNPHW Act. The petitioner herein is the first and main accused and other accused are his family members. He would further submit that all the accused including the petitioner are absconding.

5.The learned counsel for the petitioner has earlier submitted that the deceased had died due to ill health, but the petitioner and his family members were wrongly implicated and that therefore, he was constrained to file the above petition, seeking direction for conducting fair investigation in Crime No.108 of 2022 on the file of the fourth respondent Police.

6.As rightly contended by the learned Government Advocate (Criminal Side), the petitioner has nowhere whispered anything as to how he came to know that the investigation was not proceeded in a fair manner and the reasons for seeking fair investigation at present stage, since the alleged occurrence was only on 05.07.2022.



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7.As rightly contended by the learned Government Advocate (Criminal Side), the petitioner by absconding himself, has filed the above petition making allegations against the Investigating Officer.

8.Considering the above, this Court is of the considered view that absolutely there is no merit in this petition and the petition is liable to be dismissed.

9.In the result, the Writ Petition is dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

15.07.2022

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K.MURALI SHANKAR, J.

das

To

- 1.The Director General of Police,
Dr.Radhakrishnan Salai,
Mylapore, Chennai - 4.
- 2.The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.
- 3.The Deputy Superintendent of Police,
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- 4.The Inspector of Police,
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