



W.P.Nos.29800 & 29801 of 2004

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.04.2023

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.Nos.29800 & 29801 of 2004

W.P.M.P.No.36192 of 2004

W.P.No.29800 of 2004:

A.Baranidaran

...Petitioner

-Vs-

1. The State of Tamilnadu
Represented by
The Home Secretary to Government,
Fort St. George,
Chennai.

2. The State of Tamilnadu
Represented by
The Superintendent of Police,
Coimbatore Rural,
Coimbatore.

3. S.T.Rajan,
Inspector of Police,
Komangalam Police Station,
Komangalam,
Coimbatore District.

...Respondents



W.P.Nos.29800 & 29801 of 2004

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Declaration, declaring that the custom of issuing of petition receipts in lieu of FIR's, compounding of non-compoundable offences at station houses and refusal to receive statutory correspondence under Section 154(3) Cr.P.C., as illegal and ultra vires the provision of Act 2 of 1974 (Code of Criminal Procedure).

For Petitioner : No appearance

For Respondents

For R1 : Ms.V.Yamunadevi
Special Government Pleader

For R2 & R3 : Mr.S.Rajakumar
Additional Public Prosecutor

W.P.No.29801 of 2004:

A.Baranidaran

...Petitioner

-Vs-

1. The State of Tamilnadu
Represented by
The Home Secretary to Government,
Fort St. George,
Chennai.

2. The State of Tamilnadu
Represented by
The Superintendent of Police,
Coimbatore Rural,
Coimbatore.

... Respondents



W.P.Nos.29800 & 29801 of 2004

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to initiate appropriate department and penal proceedings against the concerned police personnel and to dispose of the petitioner's telegraphic and written representation dated 10.9.04 and 13.9.04, in accordance with the law.

For Petitioner : No appearance

For Respondents

For R1 : Ms.V.Yamunadevi
Special Government Pleader
For R2 : Mr.S.Rajakumar
Additional Public Prosecutor

COMMON ORDER

These Writ Petitions have been filed to declare that the custom of issuing of petition receipts in lieu of FIR's, compounding of non-compoundable offences at station houses and refusal to receive statutory correspondence under Section 154(3) Cr.P.C., as illegal and ultra vires the provision of Act 2 of 1974 and to direct the respondents to initiate appropriate department and penal proceedings against the concerned police personnel and to dispose of the petitioner's telegraphic and written representation dated 10.9.04 and 13.9.04



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WEB COPY 2. The prayer sought for in these petitions has become infructuous and hence both the Writ Petitions are dismissed as infructuous. Consequently, connected miscellaneous petition is closed. There shall be no order as to cost.

13.04.2023

Internet: Yes

Index : Yes/No

Speaking/Non Speaking order

rts



W.P.Nos.29800 & 29801 of 2004

WEB COPY To

1. The Home Secretary to Government,
The State of Tamilnadu,
Fort St. George,
Chennai.
2. The Superintendent of Police,
State of Tamilnadu,
Coimbatore Rural,
Coimbatore.
3. The Inspector of Police,
Komangalam Police Station,
Komangalam,
Coimbatore District.
4. The Public prosecutor,
Madras High Court,
Chennai.



WEB COPY



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G.K.ILANTHIRAIYAN. J.

rts

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