



W.P.No.3009 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

ORDERS RESERVED ON : 11.11.2024

ORDERS PRONOUNCED ON : 19.12.2024

CORAM

THE HON'BLE MR. JUSTICE **BATTU DEVANAND**

W.P.No.3009 of 2018
and WMP.No.3674 of 2018

R.Vigneshwaran

... Petitioner

Vs.

1. The Director General of Police,
Dr.Radhakrishnan Salai,
Mylapore,
Chennai 4.
2. The Principal/Commandant,
O/o The Principal/Commandant,
Ty.Prs/TSP III Battalion,
Veerapuram, Chennai – 55.
3. The Deputy Inspector General of Police,
Coimbatore Range,
Coimbatore District.
4. The Superintendent of Police,
Coimbatore District,
Coimbatore.

... Respondents



PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records in connection with the letter issued by the 2nd respondent in C.No.D2/143/TY.PRS-TSP III/2017, dated 06.01.2018 and quash the same and consequently direct the respondents to reinstate the petitioner as grade II police constable in service with all consequential service and other monetary benefits.

For Petitioner : Mr.M.D.Ilayaraja
for M/s.R.Sasikumar

For Respondents : Mr.G.Ameedius, Government Advocate

ORDER

This writ petition has been filed to quash the proceedings of the second respondent in C.No.D2/143/TY.PRS-TSP III/2017, dated 06.01.2018 and consequently direct the respondents to reinstate the petitioner as Grade II Police Constable in service with all consequential service and other monetary benefits.

2. It is the case of the petitioner that:

i) On 30.01.2014, he was appointed as Youth Brigade in the Tamil Nadu Special Police Youth Brigade after successfully passed out in the



written and physical tests. He was attached with Kadambarai Police Station under the fourth respondent in Coimbatore District.

ii) The petitioner had love affair with one Shalini, who belongs to SC community, and her father made a false complaint against him stating that he abducted her minor daughter and had sexual intercourse with her. Hence, a case was registered against the petitioner in Crime No.23 of 2014 on the file of the Inspector of Police, Kadambarai Police Station and a charge sheet was filed on 19.08.2014 and the same was taken on file in C.C.No.44 of 2014 before the learned Sessions Judge Mahila Court, Coimbatore.

iii) Subsequently, a show cause notice was issued by the fourth respondent to the petitioner on 22.02.2015 for his involvement in Cr.No.23 of 2014 and the petitioner also gave his explanation. However, the fourth respondent did not accept the explanation and suspended the petitioner from the Police Department on 16.06.2015.

iv) The Mahila Court, Coimbatore acquitted the petitioner by its Judgment Dt. 01.04.2016 holding that the charges are not proved beyond reasonable doubt.



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v) Subsequently, the fourth respondent had revoked the suspension on the petitioner by his proceedings dated 07.06.2016.

vi) In mean time, both the families performed marriage between the petitioner and the said Shalini.

vii) The petitioner participated in the State Level written examination conducted for the youth brigade on 13.11.2017 and he successfully passed out in the said examination and he was absorbed and appointed as Grade-II Police Constable in the Tamil Nadu Special Police on 25.11.2017. He reported duty before the second respondent and continued his training from 01.12.2017 onwards.

viii) While so, the second respondent by his proceedings dated 05.01.2018 issued a show cause notice to the petitioner seeking his explanation for his involvement in the said criminal case, which ended in acquittal on the ground of benefit of doubt. The petitioner submitted his



explanation on the same day.

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xi) To the shock and surprise, the second respondent on the very next day i.e. on 06.01.2018 cancelled the petitioner's appointment order 25.11.2017 as Grade-II Police Constable in the Tamil Nadu Special Police.

3. It is the case of the petitioner that earlier suspension order dated 16.06.2015 was revoked by the fourth respondent vide his proceedings dated 07.06.2016 and the same attained finality. Further, the criminal case registered against the petitioner in C.C.No.44 of 2014 also ended in acquittal on 01.04.2016 and as such, the present impugned order of cancellation of appointment issued by the second respondent vide proceedings dated 06.01.2018 is wholly unjustifiable.

4. i) The second respondent has filed a counter affidavit stating that while verification of records and original certificates of the petitioner, it was found that he was involved in a criminal case in Crime No.23 of 2014 in Kadambarai Police Station and The District and Sessions Court vide



Judgement dated 01.04.2016 in C.C.No.44 of 2014 has acquitted the petitioner on the benefit of doubt and due to hostility of the witnesses.

ii) It is further stated that the above said facts were informed to the first respondent on 01.12.2017. The first respondent vide his memorandum dated 21.12.2017 informed that the character and antecedents of the petitioner has been examined in detail and it is found not satisfactory due to his involvement in the criminal case. Hence, he is not entitled for appointment to the post of Grade II PC (Tamil Nadu Special Police) on absorption from the Tamil Nadu Special Police Youth Brigade and also directed the second respondent to cancel the appointment order issued to the petitioner after providing an opportunity by issuing a show cause notice.

iii) It is further averred in the counter that as per Section 20 (4) (i) of Tamil Nadu Government Servants (Conditions of Service) Act, 2016, no person shall be eligible for appointment to any service by direct recruitment unless he satisfies the appointing authority that his character and antecedents are such as to qualify him for such service. Though the criminal case in which the petitioner involved was ended in acquittal, the



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first respondent found that the character and antecedents of the petitioner were not found satisfactory, because the acquittal is not a case of honorable acquittal. Therefore, the appointment order was cancelled by the second respondent. A candidate, who wish to join the Police Department must be a person of utmost rectitude and he must have impeccable character and integrity. A person having criminal antecedents will not fit in this category. Even if he is acquitted or discharged, the order will have to be examined to see whether he has been completely exonerated in the case because even a possibility of his taking to the life of crime poses a threat to the discipline of the police force. Therefore, there is no merit in the petitioner's case and sought to dismiss the Writ Petition.

5. The learned counsel for the petitioner would submit that the impugned cancellation of appointment order dated 06.01.2018 passed by the second respondent without issuing any charge memo or providing an opportunity of personal hearing to the petitioner is unreasonable and highly arbitrary and is in violation of Article 14 of the Constitution of India. He submits that as per settled law, when the order of termination/cancellation of appointment involves civil consequences and consequently amounts to



stigma, the same cannot be passed without there being a charge memo and enquiry, and hence, the simple order of cancellation of appointment of the petitioner is to be treated as bad in law.

6. The learned counsel would further submit that a criminal case was erroneously registered against the petitioner earlier by the defacto complainant and now both families entered into smooth family life and the petitioner is blessed with a son and leading a happy family life. Admittedly, the petitioner never indulged in any acts as alleged in the complaint against him. The competent Criminal Court has rightly acquitted the petitioner from the criminal charges holding that the prosecution failed to prove the case beyond all reasonable doubts. Under these circumstances, the action of the second respondent in cancelling the appointment of the petitioner is illegal, arbitrary, unjust and in violation of principles of natural justice and hence, he requested to allow this Writ Petition.

7. On the other hand, the learned Government Advocate appearing for the respondents would submit that basing on the directions of the first



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respondent, an opportunity was given to the petitioner by way of issuance of show cause notice dated 05.01.2018 and after considering all his explanations, the appointment order was cancelled due to the involvement of criminal case. As such, the question of violation of principles of natural justice does not arise in this case.

8. The learned Government Advocate further contends that the Police Department is a disciplinary force, wherein honesty and integrity are inbuilt requirements to the said force. The petitioner was involved in a criminal case and subsequently acquitted. The first respondent had examined the character and antecedents of the petitioner in detail and found not satisfactory because the acquittal is not an honourable acquittal. As such, there is no illegality or infirmity in the order passed by the second respondent cancelling the appointment order. Therefore, he requested this Court to dismiss the Writ Petition.

9. This Court gave serious consideration to the submissions of the learned counsel for the petitioner and the learned Government Advocate appearing for the respondents and carefully examined the materials



available on record.

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10. On comprehensive examination of the facts of this case, it appears that the petitioner was in love with a girl by name Shalini. Admittedly, both belong to different community, the petitioner belongs to Nadar community and the Girl belongs to Schedule Caste Community (Adi Dravidar). The father of the said Shalini, who dislike the love affair between his daughter and the petitioner, made a complaint to the Kadamparai Police Station, Coimbatore against the petitioner alleging that the petitioner kidnapped his daughter with an intention to disparage her. A case was registered in Crime No.23 of 2014 under Section 366 of IPC and Section 3 r/w 4 of Protection of Children from Sexual Offences Act 2012 and Section 3(1) (w) (i) and 3(2) (va) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Ordinance, 2014. After filing charge sheet, the case was numbered as Special Calendar Case No.44 of 2014 on the file of the Mahila Court, Coimbatore. After examining the witnesses and considering the oral and documentary evidence available on record, the Mahila Court, Coimbatore held that the accused is not guilty of the offences charged against him and accordingly, ordered for acquittal. It further held that the



allegations levelled against the accused have not been proved beyond any reasonable doubt by the prosecution.

11. In fact, on registration of criminal case against the petitioner, who was working as Tamil Nadu Special Police Youth Brigade in the Police Department, was suspended by the fourth respondent on 16.06.2015. After acquittal of the petitioner in the said Criminal case, by judgment dated 01.04.2016, the order of suspension was revoked and the petitioner was taken back for duty vide proceedings dated 07.06.2016. As per the procedure, the Youth Brigade, who completed one year of service and passed the State Level written examination for the youth brigade, shall be absorbed in the post of constable in the Tamil Nadu Special Police. Accordingly, the first respondent conducted the State Level Written Examination for the Youth Brigade on 13.11.2017 and after successfully passing out in the said examination, the petitioner was absorbed and appointed as Grade II Police Constable in Tamil Nadu Special Police on 25.11.2017. While the matter stood thus, the second respondent issued a show cause notice dated 05.01.2018 calling for explanation of the petitioner to explain the reasons as to why the appointment could not be cancelled



because of his involvement in the criminal case.

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12. The petitioner submitted his explanation on 05.01.2018 itself. In the explanation, it is stated that during his service as Youth Brigade, he was in love with a girl by name Shalini. Since they were from different community, their families were against their marriage. Therefore, the father of the said Shalini had given a complaint against the petitioner and a case was registered. It is also mentioned in the explanation that during the criminal case proceedings in Mahila Court, Coimbatore, medical examination was taken for the petitioner and the alleged victim girl as per the Court direction and on receipt of the medical examination reports, it was certified that the alleged victim girl was not subjected to/effectuated to any sexual assault and that she did not lose her virginity. He also stated that considering the entire material evidence available on record only, the Mahila Court, Coimbatore acquitted him by its judgment dated 01.04.2016 as there was no harm done to the girl, who was said to be the victim. He also brought to the notice of the second respondent in his explanation that he married the same girl and they are blessed with a boy child and they are all living happily. It is also stated that they are living together with the



consent of both families and the future of his family and the child depends on this job.

13. It is the case of the petitioner that the second respondent without considering the explanation submitted by him in proper perspective has issued the impugned order of cancellation of appointment order. On perusal of the order impugned in this Writ Petition, by which, the appointment of the petitioner as Grade II Police Constable in Tamil Nadu Special Police has been cancelled on 06.01.2018, it appears that none of the reasons stated by the petitioner in his explanation have been considered by the second respondent while passing the impugned order. The only reason stated for cancelling the appointment of the petitioner as Grade II Police Constable is that the person having criminal antecedents likely to erode its credibility is not liable to enter into the police force. Though it is stated that the explanation submitted by the second respondent is not found satisfactory, the second respondent did not assign any reasons for coming to such conclusion that the explanation submitted by the petitioner is not satisfactory. As such, the impugned order which was passed without considering the explanation of the petitioner in proper perspective and



failed to assign reasons to find it as not satisfactory, is illegal and against the principles of natural justice.

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14. It is the contention of the respondents that the acquittal of the petitioner by the Mahila Court, Coimbatore in the criminal case is not a case of honourable acquittal. On this aspect also, it appears that the second respondent without properly considering the judgment of the Mahila Court, Coimbatore in SCC.No.44 of 2014, came to such an erroneous conclusion. Admittedly, after considering the entire oral and documentary evidence available on record, the Mahila Court, Coimbatore while acquitting the petitioner from the criminal charges, gave a categorical finding that the accused/petitioner is not guilty of the offence levelled against him as the prosecution have not proved the case beyond reasonable doubt. In fact, it is the failure of the prosecution to prove the case and the petitioner is not at fault for failure of the prosecution.

15. At this juncture, it is very essential to take into consideration of the evidence of the girl i.e., Shalini, who was examined as PW2 in criminal case. As per her evidence, in the year 2014, she was studying 12th standard



and was aged about 17 years. One day, she went to School and did not return and hence, her father gave a complaint in the Police Station. As per the evidence of Shalini, she went to her friend's house and returned back. As such, it appears that as the father of the said Shalini is having knowledge about the love affair between the petitioner and his daughter Shalini, he suspected the petitioner and with apprehension gave a complaint to the Police. Thereafter, when Shalini returned to house, her father may came to understand the truth.

16. Besides this, this Court cannot brush aside the contention of the petitioner that as father of the said Shalini did not like the love affair between him and her daughter, as they belongs to different community, filed a complaint to the Police against the petitioner. However, now, the petitioner and the said Shalini got married with the consent of both families and blessed with a son and all are living happily. Unfortunately, due to the registration of criminal case against the petitioner, it is still hunting him, though he was acquitted by the competent Criminal Court holding that the petitioner is not guilty of the allegations levelled against him. It appears that the respondents failed to properly consider the judgment of the Mahila



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Court, Coimbatore in SCC.No.44 of 2014. Admittedly, the petitioner did not suppress his involvement in the criminal case. The Mahila Court, Coimbatore by its judgment dated 01.04.2016 in SCC.No.44 of 2014 gave a finding that the petitioner is not guilty of the offences made against him. Accordingly, he is acquitted under Section 235(1) of Cr.P.C. Therefore, it cannot be said that the petitioner was involved in a moral turpitude. Hence, the involvement of the petitioner in criminal case would nowhere affects his fitness for employment. The appointing authority has to consider the nature and extent of such persons involvement in the crime. The respondents also ought to have considered the fact that during the period, w.e.f. 30.01.2014 when the petitioner worked as Tamil Nadu Special Police Youth Brigade in the Police Department there are no any complaints against him with respect to his rectitude, character and integrity. Due to that reason only he was appointed as Police Constable Grade-II in their police force w.e.f. 01.12.2017.

17. On perusal of the judgment of the Mahila Court, Coimbatore dated 01.04.2016 in SCC.No.44 of 2014 it can be understand that the acquittal of the petitioner was after due consideration of the prosecution



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evidence and after it was found that the prosecution failed to prove the charges against the petitioner. As such, it can possibly be said that the accused/petitioner was honourably acquitted from the criminal case.

18. The appointing authority did not consider the fact that whether the involvement of the petitioner in the offence alleged against him will have any impact on the disciplinary service in proper perspective. As such, it can be construed that the impugned order was passed mechanically without adhering to the settled law and erroneously cancelled the appointment of the petitioner as Grade II Police Constable in the Tamil Nadu Special Police. As such, involvement of the petitioner in the criminal case would no way affect his fitness for employment. Therefore, this court is of the considered view that the impugned order which has been passed mechanically requires interference of this court.

19. At this juncture, it is very apt to rely on the following decisions of this Court as extracted hereunder:



i) In ***V.Dineshkumar vs. the Deputy Inspector General of Police***, this Court while considering the identical cases, held as extracted herein under: -

“17.6. In this matter, FIR was registered on 16.11.2021 u/s 174(1) of Cr.P.C. for unnatural death and dead body, during investigation, turned to be that of one Mohanraj who loved one Chitra, the sister of the petitioner herein and had married her. The allegation against the petitioner is that the marriage of Mohanraj with Chitra was objected to by the family of Chitra. Mohanraj was ill-treated and humiliated on the basis of his caste (SC). Therefore, he had committed suicide. On the basis of the suicidal note left by the deceased, the case was subsequently altered from Section 174(1) of Cr.P.C. to Section 306 of IPC r/w 3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act. The petitioner was arrayed as A1 in the said case. The petitioner is the sister of Chitra. This court was informed that the said case was, closed on 23.04.2023 as mistake of fact. The petitioner along with others implicated for offence of abetment to commit suicide merely because she was the sister of the husband of the deceased Mohanraj. The police finding no material closed the case as mistake of fact. It is to be noted that the very FIR was registered after the selection process was over. Therefore, the question of suppression of material information does not arise. When the materials collected



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during investigation were not sufficient enough to continue with the investigation, mere registration of the case cannot be put against the petitioner. In these circumstances, the case which was pending against the petitioner no way affect his fitness for employment. Therefore, this court is of the view that the impugned order which has been passed mechanically requires interference at the hands of this court. This writ petition succeeds.

17.7. In this case, FIR came to be registered in 2018 for the offences u/s 294(b), 323, 324 & 506(ii) of IPC. The allegation is that the petitioner and the other 2 accused made a comment about walking of one Vinayagamurthy who was found to be drunken. The petitioner faced the trial before the learned Judicial Magistrate-II, Tindivanam. The case was ended in acquittal by judgement 13.12.2018. The notification was of 2019. Though the petitioner was acquitted by giving benefit of doubt as the witnesses turned hostile, aggrieved by the acquittal by giving benefit of doubt instead of recording acquittal on merits, the petitioner approached this court by way of revision in Crl.R.C.No.115 of 2021. This court by order dated 05.03.2021, declared the accused as simple order of acquittal. But, the particular of the pendency of the case was not disclosed in the application by the petitioner.



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17.8. Mere non-disclosure of the particular of the case which was pending against the petitioner and subsequently ended in acquittal, in the considered opinion of this court will not have any serious impact as the offences alleged were trivial in nature and the same, in fact, did not involve any moral turpitude. Therefore, it cannot be said that the petitioner was involved in a criminal case involving moral turpitude. The involvement of the petitioner in the criminal case would no way affect his fitness for employment. Therefore, this court is of the view that the impugned order which has been passed mechanically requires interference at the hands of this court. This writ petition succeeds.”

ii) A Division Bench of this Court has considered the similar issue in ***W.A. No. 2746 of 2018*** discussed about the honourable acquittal, discharge mistake of fact, quashing of FIR / charge sheet and summarised the preposition of law, as extracted herein under: -

“7. At the outset, it is required to be noted that the post on which the writ petitioner is seeking the appointment is the post of Police Constable Grade II. It cannot be disputed that the duty of the constable is to maintain law and order. Therefore, it is expected that he should be honest, trustworthy and that his integrity is above board and that he is reliable. An



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employee in the uniformed service presupposes a higher level of integrity, as such a person is expected to uphold the law and on the contrary any act in deceit and subterfuge cannot be tolerated.

8. In the present case, though the trial Court had acquitted the respondent on benefit of doubt, the learned Single Judge by relying upon the decision of the Hon'ble Supreme Court in Inspector General of Police Vs.S.Samuthiram [(2013) 1 SCC 598] held that when the accused is acquitted after full consideration of the prosecution evidence and that the prosecution had miserably failed to prove the charges levelled against the accused, it can possibly be said that the accused was honorably acquitted. We do not find any error in the order passed by the learned Single Judge.

9. This Court in a similar circumstances, in a batch of cases filed before the Madurai Bench of Madras High Court in W.A.(MD) No.938 of 2020 etc., batch dated 05.06.2023, in which one of us is a party [D.Krishnakumar, J.], has elaborately discussed on various factors to be considered in respect of police recruitment and observed with regard to Honourable acquittal as follows:

“(C). DISCUSSION



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8. *The Writ Appeals and the Writ Petitions that are listed before us challenging the rejection of the candidature or accepting the candidature can be classified on the following grounds:*

“(1). Honourable acquittal, discharged mistake of fact, quashing of F.I.R/ charge sheet.

(2). Acquitted on benefit of doubt or due to hostility of the witnesses.

(3). Proceedings quashed on compromise between the parties.”

(1). Honourable acquittal, discharge mistake of fact, quashing of F.I.R/ charge sheet.

(a). Rule 14(b)(iv) of Tamil Nadu State and Subordinate Service Rules lays down that a candidate should not be involved in any criminal case before police verification. Explanation (2) to the above said Rule lays down that in case if a candidate has been honourably acquitted or the criminal case has been closed as a mistake of fact, the same shall be treated as not an involvement of the criminal case. The Rules further lay down that the said candidate can make a claim for appointment only by participating in the next recruitment. However, the communication of Director General of Police dated 17.12.2015. If the candidate has been honourably acquitted before the date of police verification or referred as mistake of fact may be favourably viewed for candidate.



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(b). *The communication further points out that the candidate whose name was deleted from the charge sheet can also be considered for appointment in the said selection itself.*

(c). *Therefore, it is clear that if a candidate has been discharged or the case has been closed as mistake of fact or if the F.I.R or charge sheet have been quashed on merits, this will lead to only one conclusion that the candidate was not at all involved in the said criminal case. His candidature should be considered in the said selection itself without relegating him to the next selection process.*

(D). SUMMARY OF PREPOSITION OF LAW:

19. *In the light of the above said deliberations, the preposition of law could be summarized as follows:*

(a). In case of honourable acquittal, discharge, case closed as mistake of fact, quashing of F.I.R/Charge Sheet before the date of police verification, the same should be considered in favour of the candidate in the current selection itself. (emphasis supplied)

(b).Where the candidate has been acquitted on the ground of benefit of doubt or hostility of witnesses (before the date of police verification), that would not confer any right upon the candidate to claim appointment as a matter of right. It is for the employer to consider the suitability of the



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candidate based upon his conduct and antecedents only if the offences are trivial in nature.

(c).Where the criminal case has been quashed (before police verification) on the basis of a compromise and the offence is of trivial in nature, the same can be considered in favour of the candidate in the current selection itself. However, if the offence involved is not of a trivial in nature, the same cannot be considered for appointment.

(d).Where a candidate having knowledge about his involvement in a criminal case had suppressed the same in his application and the said offence is not trivial in nature, he is not entitled to seek any appointment. On the other hand, in cases of trivial offences, without knowledge about his involvement or after having knowledge had suppressed his involvement, the employer in his discretion is entitled to consider the candidature by considering his character and past antecedents.

(e).Where the candidate is involved in petty/trivial cases like family dispute or dispute with neighbors or shouting of slogans or traffic offence where fine was imposed, the same can be considered to be offence of trivial/petty in nature. However, the offence against women, children or under NDPS Act should never be considered to be an offence of trivial in nature.

(f).Where the candidate is involved in criminal offences



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under Juvenile Justice Act, he/she is to be considered in the light of the Division Bench Judgment of this Court dated 01.03.2023 in Rev.Apln.No.17 of 2023 in W.A.No.2759 of 2018 (The Superintendent of Police, Villupuram District Vs.S.Rajeshkumar)

(g). Pending the recruitment process, if a candidate is discharged from the criminal case or acquitted in the criminal case, he/she shall be eligible to be considered for the next recruitment process as per Rule 14(b) of the Tamil Nadu State Police Subordinate Service Rules.

20. This Court intends to visualise the situation arose in this Writ Petition in different angle. It is an admitted fact that the petitioner and Shalini, who got married later are in love earlier and they belong to different communities. Normally, some elders will not like love marriage, between different communities. It may be the reason for the episode of criminal case against the petitioner. However, now both got married and blessed with a son and they are living together happily. In fact, the Government of Tamil Nadu has issued G.O.Ms.No.939, Personnel & Administrative Reforms (Personnel-R) Department, dated 24.09.1986 with a view to encourage intercaste marriages, has extended the benefit of priority for the purpose of



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nomination through employment exchange for employments. On perusal of the same, it appears that the intention of the Government of Tamil Nadu is laudable to encourage the intercaste marriages to eradicate Caste system by extending some benefits for the purpose of educational and other concessions like by giving priority of nomination through employment exchange for employment purpose. Unfortunately, in the present case, due to the reason that the petitioner, who belongs to Nadar community, fell in love with a Schedule Caste girl, which resulted in a criminal case against the petitioner and though he married the same girl (i.e.) inter caste marriage and he was acquitted by the competent Criminal Court, he lost his employment on the ground of involvement in criminal case.

21. Neither the unexpected circumstances of the day Shalini was assumed kidnapped, nor the impulsive actions of a worried father registering an FIR against the petitioner, should turn a worthy police personnel into a criminal according to the Rules of the Department.

22. It is brought to the notice of this Court that now the petitioner is



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feeding his family by working as an Auto driver. The order of the second respondent cancelling the appointment of the petitioner as Grade II Police Constable definitely would put to heavy loss and hardships to the entire family of the petitioner. Taking into consideration of all these aspects, this Court opines that this case has to be seen in social angle and with humanitarian outlook.

23. For the aforesaid reasons and by following preposition of law laid down in the judgments stated supra, this court is of the considered opinion that the proceedings issued by the second respondent dated 06.01.2018, impugned in this Writ Petition is liable to be quashed to render substantial justice to the petitioner.

24. Accordingly, this Writ Petition is allowed and the impugned order is hereby quashed. Consequently, the respondents are directed to reinstate the petitioner into service as Grade II Police Constable with consequential and other monetary benefits including continuity of service within a period of four weeks from the date of receipt of a copy of this order.

No costs.



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Consequently, connected miscellaneous petition is closed.

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19.12.2024

Speaking/Non-speaking order

Index : Yes/No

Internet : Yes/No

pvs

To

1. The Director General of Police,
Dr.Radhakrishnan Salai,
Mylapore,
Chennai 4.
2. The Principal/Commandant,
O/o The Principal/Commandant,
Ty.Prs/TSP III Battalian,
Veerapuram, Chennai – 55.
3. The Deputy Inspector General of Police,
Coimbatore Range,
Coimbatore District.
4. The Superintendent of Police,
Coimbatore District,
Coimbatore.



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BATTU DEVANAND.J.,
pvs

Pre-delivery order in

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19.12.2024