



WEB COPY



WP.No.15389 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :13.06.2024

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

**W.P.No.15389 of 2024
and
WMP.No.16726 of 2024**

Sengamalam

... Petitioner

Vs.

1.The Superintendent of Police
Cuddalore District
Cuddalore.

2. Inspector of Police,
CBCID Police Station,
Cuddalore District
Cuddalore.

3.Munusamy
4. Sambath
5.Jayaraman

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to direct the 2nd respondent to probe into the petitioner's Sengamalam, 67 years, son of Manickam Konar, illegal arrest and illegal detention in Thittagudi Police Station, Cuddalore District, at 8.00 a.m., to 07.30 p.m., on 22.05.2024 by considering the complaint of the petitioner dated 23.05.2024 in accordance with law.



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For Petitioner : Mr.R. Sankarasubbu
for Mr. M. Velmurugan

For Respondents : Mr.S.Udaya Kumar for R1 & R2
Government Advocate (Crl.Side)

ORDER

The petitioner herein seeks Mandamus for direction to the second respondent to probe into the illegal detention of her son Manickam by the respondent police on 22.05.2024

2. Learned Government Advocate (Crl.Side) submitted that due to communal clash probed during the Adal Padal programme, conducted in the Village, there was an altercation between the two groups, in which, the petitioner sustained injury and was taken to the hospital and case has also been registered and under investigation. The counter complaint been given by the rival group and that has been registered and under investigation. As far as allegation of illegal custody, it is stated that since there was break down of law and order and two groups were in discharge mood, some of them were secured and kept in the station for a while so as to restore peace in the village. Except that, there is no illegal detention as alleged.



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3. Learned Government Advocate (Crl.Side) submitted that complaint and counter complaint are still in CSR stage.

4. Taking note of the nature of the incident and the injuries sustained, proper FIR must be registered and investigate in accordance with law. Hence, the Writ Petition is disposed of. However, direction is given to the respondent police to register both the complaints, investigate in accordance with law and file final report as early as possible. Consequently, connected miscellaneous petition is closed. No costs.

13.06.2024

Index : Yes/No
Speaking/Non speaking Order
Neutral Citation
gv

