



W.P(MD)No.6877 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 02.04.2024

CORAM :

THE HON`BLE MR.JUSTICE B.PUGALENDHI

W.P(MD) No.6877 of 2024

Kathirvel

... Petitioner

Vs.

1. The Secretary
Government of Tamil Nadu,
Home, Prohibition and Excise Department,
Secretariat, Fort St. George,
Chennai 600 009
- 2.The Superintendent of Police
Theni District, Theni
- 3.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Periyakulam, Theni District.
- 4.Anusuya.
- 5.Gnanasekar,
- 6.Babu @ Babu Vignesh,
- 7.Andal,

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, to direct the 1st and 2nd respondents to grant sanction for initiation of criminal proceedings



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under section 197 of Cr.P.C. as against the 4th respondent by considering the petitioner's representation dated 19.12.2023.

For Petitioner : Mr.S.Muniyandi

For Respondents : Mr.T.Senthil Kumar
Additional Public Prosecutor
for R1 to R3

ORDER

The Petitioner, who is an Advocate, lodged a complaint before the Thenkarai Police Station and filed this Writ Petition for a Mandamus, directing the respondent police to obtain sanction under Section 197 Cr.P.C.

2. When the writ petition is taken up for hearing, the learned Additional Public Prosecutor submits that the complaint of this petitioner was closed as “mistake of fact”, on 31.12.2023. A copy of the report has also been furnished to the learned counsel for the petitioner. The petitioner can work out his remedy by filing a private complaint before the concerned Judicial Magistrate.



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3. The respondent police is directed to file this report to the learned Judicial Magistrate and the petitioner is at liberty to file a protest petition or a private complaint under Section 200 Cr.P.C.

4. With the above observation, this Writ Petition is closed.
There shall be no order as to costs.

02.04.2024

Index : Yes/No
Internet: Yes/No
LS

To

1. The Secretary
Government of Tamil Nadu,
Home, Prohibition and Excise Department,
Secretariat, Fort St. George,
Chennai 600 009
2. The Superintendent of Police
Theni District, Theni
3. The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Periyakulam, Theni District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI, J

LS

Order made in
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