



W.P(MD)No.20452 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 28.08.2024

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.20452 of 2024

and

W.M.P(MD)No.17350 of 2024

M.Abrakam lingam

... Petitioner

Vs.

1.The Chairman,
Tamil Nadu Uniformed Services Recruitment Board,
Old Commissioner of Police Officer Campus,
Pantheon Road,
Egmore, Chennai – 600 008.

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

...Respondents

PRAYER:Writ Petition is filed under Article 226 of the Constitution of India, to issue a writ of Certiorarified Mandamus, to call for the records relating to the impugned order passed by the second respondent, dated 01.07.2022, made in Na.Ka.No.A4/16449/2019 and to quash the same, consequently direct the respondents to appoint the petitioner for the post of Grade II Police Constable based on the selection process of the year 2019 forthwith.



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For Petitioner : Mr.S.Kasirajan
For Respondents : Mr.Veera Kathiravan
Additional Advocate General
assisted by
Mr.S.Shaji Bino
Special Government Pleader
* * * * *

ORDER

The instant writ petition has been filed by an aspirant to the post of Grade II Police Constable, who had participated in the recruitment for the year 2019, challenging the non-selection.

2.A perusal of the impugned order reveals that the petitioner herein was charged with the offences under Sections 147, 294(b), 323, 506(i) of IPC and he was subjected to trial in C.C.No.111 of 2019. By way of order dated 22.04.2019, he was acquitted conferring the benefit of doubt upon him on the ground that the witnesses have turned hostile.

3.The application of the petitioner has been rejected on the ground that the petitioner has been acquitted only on the ground of benefit of doubt. A perusal of Rule 13 explanation (1) of the Special Rules of Tamil Nadu Police Service Rule clearly reveals that, if a person is acquitted or discharged on the



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ground of benefit of doubt or to the fact that the complaint has turned hostile, he shall be treated as a person involved in a criminal case. In the present case, the petitioner having been involved in the criminal case, the order impugned in the writ petition is liable to be sustained.

4. Therefore, this Court finds no merit in the writ petition. Accordingly, this writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is also closed.

28.08.2024

NCC : Yes/No
Index : Yes/No
Internet: Yes/No

RJR

To

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Egmore, Chennai – 600 008.
2. The Superintendent of Police,
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Tirunelveli.



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R.VIJAYAKUMAR, J.

RJR

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