



W.P.(MD)No.26611 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 08.11.2024

CORAM:

THE HONOURABLE **MR.JUSTICE M.NIRMAL KUMAR**

W.P.(MD)No.26611 of 2024

C.Selvakumar

.. Petitioner

Vs

1. The Superintendent of Police  
Madurai District, Madurai.

2. The Additional Superintendent of Police  
Madurai District  
Madurai

3. The Inspector of Police  
Thirumangalam Town Police Station  
Madurai District

.. Respondents

**PRAYER:** Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the first respondent to further direct the second respondent to take necessary action based on order passed by this Court in CrI.O.P(MD) No.11891 of 2024 and conduct fair enquiry and take legal action against the persons who fabricated the false incident and against the persons who instigated to stage a false drama based on the petitioner's representation to the first respondent dated 07.10.2024.



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For Petitioner : Mr.V.Murugan

For Respondents : Mr.A.Thiruvadikumar  
Additional Public Prosecutor

### **ORDER**

This Writ Petition has been filed to direct the first respondent to further direct the second respondent to take necessary action based on order passed by this Court in CrI.O.P(MD) No.11891 of 2024 and conduct fair enquiry and take legal action against the persons who fabricated the false incident and against the persons who instigated to stage a false drama based on the petitioner's representation to the first respondent dated 07.10.2024.

2. The petitioner who is an accused in C.C. No.198 of 2024 had filed CrI.O.P(MD) No.11891 of 2024 before this Court stating that due to previous motive a false case has been filed. This Court by an order dated 29.07.2024 in para no. 7 has observed as follows:

*“7.If the Additional Superintendent of Police,  
Madurai, finds that the investigation is not conducted in  
a proper manner, he shall withdraw the final report filed*



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*before the learned Judicial Magistrate, Thirumangalam  
and seek permission from the learned Judicial  
Magistrate, Thirumangalam for further investigation  
and entrust the same to some other sincere officer”.*

Despite the order being passed by this Court on 29.07.2024, no action has been taken, hence he has sent a representation dated 07.10.2024 to the respondents. From the postal acknowledgment it is seen that the representation has been received by the respondents on 28.10.2024, since no action has been taken the present petition has been filed.

3. The learned Additional Public Prosecutor would submit that on the order passed by this Court in CrI.O.P(MD) No.11891 of 2024, the Additional Superintendent of Police, Madurai is directed to take over the investigation of the above case from the Inspector of Police, Thirumangalam Town Police station and send compliance report.

4. It is seen that the representation of the petitioner has been acted upon and the case has handed over to the Additional Superintendent of



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Police, Madurai District. The Additional Superintendent of Police, Madurai District on taking upon the investigation shall complete the investigation and file final report preferably within a period of four months from the date of taking the case on file.

5. With the above direction, the Writ Petition stands closed. No costs.

**08.11.2024**

Index: Yes/No  
Internet : Yes/No  
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To

1. The Superintendent of Police  
Madurai District, Madurai.
2. The Additional Superintendent of Police  
Madurai District  
Madurai
3. The Inspector of Police  
Thirumangalam Town Police Station  
Madurai District
4. The Additional Public Prosecutor  
Madurai Bench of Madras High Court  
Madurai.



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**M.NIRMAL KUMAR, J.**

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