



W.P(MD) No.27105 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 28.11.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P(MD) No.27105 of 2023
and WMP(MD) No.23267 of 2023

AG.Krishnakumar

... Petitioner

Vs

1. The State of Tamil Nadu,
Rep by its Secretary to Government,
Home (Police III) Department,
Fort St.George,
Chennai-9.

2. The Director General of Police,
O/o.The Director General of Police,
Dr.Radhakrishnan Salai,
Mylapore,
Chennai-4.

3. The Inspector General of Police,
O/o. the Inspector General of Police,
Kajamalai Colony,
Edamalaipatti Pudur,
Trichy.

4. The Commissioner of Police,

1/6



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O/o.The Commissioner of Police,
Madurai City.

5. The Superintendent of Police,
O/o.The Superintendent of Police,
Ramanathapuram District.

6. Arunachalam

7. Saravanan

8. Sadacharam

9. V.Saravanan

10. Jegadeesan .

11. Ramalingam

12. R.Senthil Kumar.

... Respondents

PRAYER: Writ Petition, filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Mandamus, directing the respondent no. 1 and 2 to take the appropriate action against the respondent no. 6 to 12 those who were committed atrocities and convicted by the Learned Judicial Magistrate No.V. Madurai in C.C.No.807 / 2019 by providing adequate compensation to the petitioner sum of Rs.50,00,000/- from the delinquent servants of the respondent no. 1 and 2 by considering the petitioner's representation, dated on 19.10.2023.



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For Petitioner : Mr.SMA.Jinnah

For Respondent : Mr.M.Muthumanickkam (R1)
Government Advocate (Crl.Side)

Mr.B.Thanga Aravindh (R2-5)
Government Advocate (Crl.Side)

Mr.M.Karunanithi (R6)
Mr.G.Karuppasamy Pandian (R8)
Mr.A.Balaji (R11)

ORDER

This Writ Petition has been filed for the issue of mandamus directing the respondents 1 and 2 to take appropriate action against the respondents 6 to 12, based on the judgment passed by the Judicial Magistrate No.5, Madurai in CC No.807 of 2019.

2.When the matter was taken up for hearing the learned Government Advocate (Crl.Side) appearing for the respondents 2 to 5 submitted that as against the Judgment of the Judicial Magistrate an appeal was filed and the same was taken on file in CA No.116 of 2023 before the VI Additional Sessions Judge, Madurai. While entertaining the appeal, only



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the sentence was suspended and the conviction was not suspended.

Aggrieved by the same, Criminal Revision petitions in CrI.R.C(MD) Nos.67 and 83 of 2024 were filed before this Court and this Court had stayed the conviction also.

3.In the light of the above development, the relief as sought for by the petitioner cannot be granted till the disposal of the criminal appeal, which is pending before the competent Court. That apart, both the conviction as well as the sentence has been stayed. Hence, this Writ Petition is a premature one. Accordingly, the writ petition is closed. Consequently, connected miscellaneous petition is closed.

28.11.2024

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



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4. The Commissioner of Police,
O/o.The Commissioner of Police,
Madurai City.

5. The Superintendent of Police,
O/o.The Superintendent of Police,
Ramanathapuram District.

6.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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N.ANAND VENKATESH, J.

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