



W.P.Nos.13948 of 2021, 5139, 5143, 5144, 5146 & 5147 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 24.07.2025

CORAM

THE HONOURABLE MR.JUSTICE **M.SUNDAR**

and

THE HONOURABLE MR.JUSTICE **HEMANT CHANDANGOUDAR**

W.P.Nos.13948 of 2021, 5139, 5143, 5144, 5146 & 5147 of 2020

and

W.M.P.Nos.14817 of 2021, 6073, 6076, 6079, 6081, 6082 of 2020

M.Ravi

S/o.Marimuthu

... Petitioner

in W.P.No.13948/2021

Mahendran

... Petitioner

in W.P.No.5139/2020

Selvaraj

... Petitioner

in W.P.No.5143/2020

Manimaran

... Petitioner

in W.P.No.5144/2020

T.Jeyakumar

Sub-Inspector of Police

... Petitioner

in W.P.No.5146/2020

E.Kanagaraj

Deputy Superintendent of Police

... Petitioner

in W.P.No.5147/2020



W.P.Nos.13948 of 2021, 5139, 5143, 5144, 5146 & 5147 of 2020

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vs.

1. The Registrar
State Human Rights Commission
Thiruvarangam, 143
P.S.Kumarasamy Raja Salai
(Greenways Road)
Chennai-600 028.
2. Manikandan @ Mohan
S/o.Kamalakannan

... Respondents

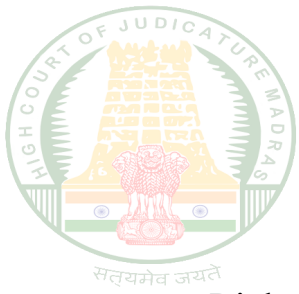
Writ Petitions filed under Article 226 of the Constitution of India seeking a Writ of Certiorari, to call for the records in SHRC Case No.4013 of 2014 and order dated 26.06.2019 and quash the same as ultra-vires and illegal.

For Petitioner in all WPs	:	Mr.M.Velmurugan
For Respondents in all WPs	:	Mr.K.Suresh
		Government Advocate, for R1
		R2 - No appearance

COMMON ORDER

[Order of the Court was made by **HEMANT CHANDANGOUDAR.J.,**]

Captioned six Writ Petitions {hereinafter "WPs" for the sake of brevity, convenience and clarity} have been filed for issuing writs of certiorari assailing an order dated 26.06.2019 passed by the State Human



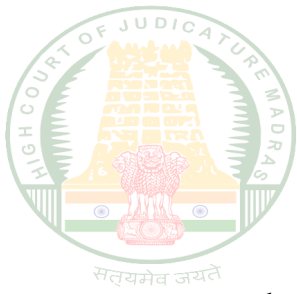
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Rights Commission - Tamil Nadu {hereinafter "SHRC" for the sake of brevity, convenience and clarity} in SHRC Case No.4013 of 2014, wherein the SHRC has directed the Government of Tamil Nadu to pay a compensation of Rs.60,000/- to the complainant and recover sum of Rs.10,000/- each from the respondents before the SHRC (petitioners herein).

2. For the sake of clarity and convenience, parties are referred to by their respective rankings before the SHRC.

3. On the previous date of hearing i.e., on 23.07.2025, the second respondent (complainant) and learned counsel for the second respondent before us were not present and with the intention of giving an opportunity to the second respondent and the learned counsel for second respondent, the matter was adjourned to today (24.07.2025) making it clear that the matter will be heard out based on the available records and counsel before us, if there is no representation for R2 in the next listing also. Today, when the matter was called, none appears for the second respondent and therefore, the captioned WPs are taken up for hearing based on the submissions to be



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made by learned counsel before us.

4. Factual Background is as follows:

4.1. The second respondent in all these captioned WPs was the complainant before the SHRC. The complainant stated that on 18.07.2013 at about 7.30 p.m., the respondents 1 to 4 before SHRC came to his house and took him along with 16 other persons including his father and kept them under illegal custody in K7, ICF Police Station and tied their hands with iron chains.

4.2. The complainant further stated that the respondents 1 to 4 had taken him to his house on 19.07.2013 at about 8.00 p.m. to search his uncle Sankar, Son of Selvaraj but his house was found to be locked. He further stated that his grandmother Govindammal had filed a petition under Section 97 Cr.P.C before V Metropolitan Magistrate, Egmore, on 19.07.2013 and on the same day, the said Sankar surrendered before the V Metropolitan Magistrate Court in pending cases against him.

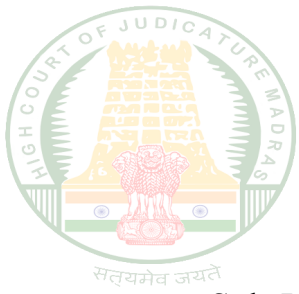
4.3. The complainant further stated that he was beaten by respondents 5 and 6 on 19.07.2013 and he was taken to nearby private hospital for



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treatment on 20.07.2013. The respondents 5 and 6 before the SHRC registered a false case against him and his father in Crime No.783 of 2013 for offences punishable under Section 75 of the City Police Act and he was detained illegally in the police station for another two days and was released on 22.07.2013.

5. The respondents before SHRC entered appearance and denied all the allegations and stated that the complainant's uncle Sankar is a habitual offender and history sheeter and the averment that the complainant is a college student is false and he has criminal antecedent and remanded to the judicial custody on 17.03.2013 in Crime No.316/2013 for offences punishable under Sections 341, 294(b), 336, 427, 392, 297, 506(ii) of IPC and Section 25(1A) of the Arms Act. The respondents further stated that on 27.07.2013, the complainant and his father were on renovation work near K.K.Nagar ground, Ayanavaram at around 6.00 p.m. in an intoxicated state and few people gathered around them and being infuriated by their presence, both the complainant and his father started abusing the pedestrians and general public in filthy language and that point of time, a



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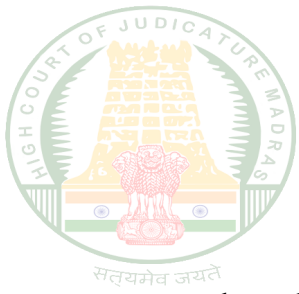
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Sub-Inspector of Police from K2 Ayanavaram Police Station and another police had brought them to the police station and both of which were charged under Section 75 of the City Police Act and then, sent them to their home after collecting fine amount.

6. The complainant, in order to prove his case, examined himself as P.W.1 and his father was examined as P.W.2 and 12 documents namely, Ex.P1 to Ex.P12 were marked. On the side of the respondents, respondent No.5 was examined as R.W.1 and 4 documents namely, Ex.R1 to Ex.R4 were marked.

7. SHRC, after perusing the evidences and records held that the petitioners have violated the human rights of the complainant and passed the impugned order.

8. Mr.M.Velmurugan, learned counsel on record for petitioners in all the captioned WPs submitted that there is no substantive evidence to prove



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that the complainant and his father were taken to the police station on 18.07.2013 and also that the complainant sustained injuries due to the assault made by the petitioners. The learned counsel further submitted that SHRC has not considered the testimony of P.W.2 in his cross-examination wherein he has categorically stated that he has not signed the examination-in-chief and further admitted that there was no violation of human rights. Therefore, SHRC, contrary to the evidences and records has passed the impugned order and the same is not legally sustainable.

9. In response, Mr.K.Suresh, learned Government Advocate, for R1 - SHRC submitted that the oral and documentary evidences clearly establish that the petitioners have violated the human rights of the complainant and the SHRC, after considering the evidences in proper perspective has rightly passed the impugned order.

10. The arguments of the parties and the materials placed on record have been duly considered.

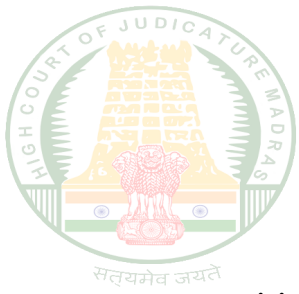


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11. The allegation against the petitioners herein is that they have taken the complainant and his father from their house on 18.07.2013 and they were illegally detained for 2 to 3 days in the police station and subsequently, a false case was registered against the complainant for the offences punishable under Section 75 of the City Police Act. Except oral testimony of P.W.1, there is no corroborative evidence to substantiate the said allegation and moreover, in the cross-examination, when a suggestion was put to P.W.1 about the said allegation, he denied the same.

12. The father of the complainant was examined as P.W.2. In the cross-examination, we notice that he has not made any allegation against the petitioners for having violated the human rights of the complainant or himself and also he is also not aware, who drafted the examination in chief except signature, which was taken from him in examination in chief. Ex.P16 is the Accident Register, which was produced by the complainant to prove that he has sustained injuries due to the assault made by the



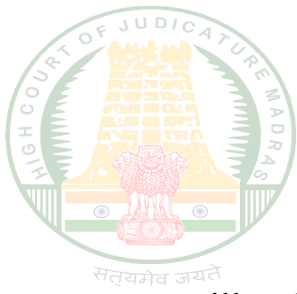
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petitioners. The Accident Register indicates that six known persons had assaulted the complainant by hand and stick on 19.07.2013 at about 8.00 p.m. in his residence. This falsifies the allegations that the injuries sustained by the complainant due to the assault made by the petitioners while he was allegedly detained in the police station.

13. The respondents before the SHRC had produced the receipt indicating that the complainant was let off after depositing a sum of Rs.5,000/- as fine. According to the complainant, the petitioners forcibly taken him to the police station on 18.07.2013, but the registration of the case was on 20.07.2013. However, the complaint before the SHRC was filed on 17.06.2014.

14. In view of the foregoing discussions, we have no hesitation in holding that the complainant has not produced any substantive evidence to establish that he was forcibly taken to the police station on 18.07.2013 and detained illegally for 2 days and assaulted by the petitioners during his



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illegal detention. Therefore, the impugned order passed by the SHRC is contrary to the evidence and records and the same is not legally sustainable.

15. Therefore, the captioned WP is allowed and the impugned order 26.06.2019 passed by the SHRC in SHRC.No.4013 of 2014 is hereby set aside. Consequently, captioned Writ Miscellaneous Petition is closed. There shall be no order as to costs.

(M.S.J.) (H.C.J.)
24.07.2025

Index : Yes / No
Neutral Citation : Yes / No
Speaking / Non-speaking

mk

To
The Registrar
State Human Rights Commission
Thiruvaramangam, 143
P.S.Kumarasamy Raja Salai
(Greenways Road)
Chennai-600 028.

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**M.SUNDAR, J.,
and
HEMANT CHANDANGOUDAR, J.,**

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**24.07.2025
(1/2)**