



W.P.No.26302 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :13.02.2025

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.No.26302 of 2024

Anbazhagan (aged 55 years),
S/o Rathinam,
No.2/42C(l) BajanaiKovil Street KilaiVayalur Post,
Sriperumbudur,
Kanchipuram District Pin 602 105.

.. Petitioner

/versus/

1. State of Tamil Nadu,
Represented by the Secretary to Government,
Home Department,
Secretariat
Chennai 600 009

2. The Director General of Police,
KamarajarSalai,
Mylapore,
Chennai-600004

3. The Superintendent of Police,
Thiruvallur District,
Thiruvallur.

4. The Inspector Of Police,
Mappedu Police Station,
Thiruvallur District.

.. Respondents



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Writ Petition has been filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the respondents to register a case under Section 302 I.P.C against all the police personnel involved in the killing of the son of the petitioner on 16.9.2023 and further directing the respondents to award appropriate compensation to the petitioner for the death of the petitioner's son Vishva @ Vishvanathand in police encounter on 16.09.2023.

For Petitioner	: Mr.M.Radhakrishnan,
For R2 to R3	: Mr.K.M.D.Muhilan Govt.Advocate(Crl.Side)
For R1	: Mr.P.Balathandayutham, Spl.G.P.

ORDER

This petition has been filed for direction directing the respondent to register the case under Section 302 of I.P.C as against the police personnel involved in the encounter of the petitioner's son on 16.09.2023 and further directing the respondents to award appropriate compensation to the petitioner.

2. The petitioner's son involved in four murder cases. Pursuant to the registration of these cases, while the 4th respondent securing the deceased, the petitioner's son stabbed the police personnel and escaped. As a result, the police personnel shot him dead. In connection with this, F.I.R has been



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registered in Crime No.330 of 2023 for the offences punishable under Section 294(b) 353, 324, 307, 506(ii) of IPC, Section 27(1) of Arms Act 1959 and Section 176(1A)(i) Cr.P.C.

3. The F.I.R contains two components, one is against the deceased and another against the police personnel who shot him dead. In fact, the petitioner had already filed direction petition before this Court in CrI.O.P.No.25141 of 2023, praying for a direction, directing the respondents to consider the representation submitted by the petitioner for the transfer of investigation. This Court, *vide* order dated 02.11.2023 directed the 4th respondent to complete the investigation as per the guidelines of Hon'ble Supreme Court of India. Accordingly, the 4th respondent/Inspector of Police, Mappedu Police Station, Thiruvallur District was directed to complete the investigation and referred the F.I.R as 'action dropped' against the police personnel since there is no material to attract any offence as against the police personnel. Insofar as the F.I.R registered against the deceased is concerned, all the charges were abated and the complaint was closed.



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4. With the above observation, this writ petition is dismissed as devoid of merits. No costs.

13.02.2025

Index : Yes/No.
Neutral Citation : Yes/No.
bsm

To:-

1.the Secretary to Government,
Home Department,
Secretariat, Chennai 600 009.

2. The Director General of Police,
Kamarajar Salai,
Mylapore, Chennai-600004

3. The Superintendent of Police,
Thiruvallur District, Thiruvallur.

4. The Inspector Of Police,
Mappedu Police Station,
Thiruvallur District.

5.The Public Prosecutor, High Court of Madras, Chennai.



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G.K.ILANTHIRAIYAN,J.

bsm

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