



WEB COPY



W.P.No.18353 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.03.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.18353 of 2024

Ramesh

...Petitioner

Versus

1.State Rep,
The District Superintendent of Police,
Vellore District,
Vellore -9.

2.The Inspector of Police,
Vellore Rural Police Station,
Vellore District.

...Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India, praying for issuance of Writ of Mandamus, directing first respondent to consider the representation of the petitioner dated 12.06.2024 in accordance with law to hold enquiry under Section 151 police standing order to enquire with torture and harassment inflicted in the petitioner without due process of law.

For Petitioner : Mr.R.Sankarasubbu

For R1 & R2 : Mr.A.Gopinath

Government Advocate (Crl.Side)



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ORDER

This Writ Petition has been filed for a direction, directing the first respondent to consider the representation submitted by the petitioner dated 12.06.2024 and seek enquiry under Section 151 of Police Standing Order.

2. Heard the learned counsel appearing on either side and perused the materials available on record.

3. The petitioner was repeatedly called for enquiry by the second respondent without having committed any offence. Thereafter, a false case has been foisted as against the petitioner in Crime No.92 of 2023 for the offences under Sections 353 and 506(i) of IPC on the grounds that the petitioner questioned the illegal activities of the police personnel, who, with their help, were involved in illegal sand quarrying and selling of illicit arrack. Therefore, the petitioner lodged a complaint to held an enquiry under Section 151 of the Police Standing Orders.

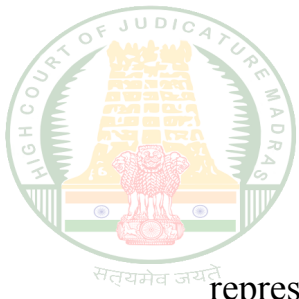


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4. The learned Government Advocate (Crl.Side) appearing for the respondents submitted that the petitioner was issued a notice under Section 151 of Police Standing Orders. In fact, the petitioner was an accused in Crime No.92 of 2023. After the enquiry, the petitioner was never detailed at the police station. The petitioner was also called for enquiry only through phone. Now, the investigation has been completed in Crime No.92 of 2023 and final report was filed before the Judicial Magistrate No.I, Vellore. The same has been taken cognizance by the Trial Court in C.C.No.888 of 2025 and it is pending for trial.

5. A perusal of Section 151 of Police Standing Orders reveals that the procedure prescribed pertains to allegations of torture or of causing death or grievous hurt or other serious offences against the Police Officials. In the case on hand, the petitioner was not subjected to any of these actions by the police personnel and he was not detained at any point of time. The petitioner was called for enquiry, that too issuance of notice under Section 51A of Police Standing Orders. Therefore, Section 151 of Police Standing Orders does not apply and the



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representation submitted by the petitioner cannot be considered. Thus, the writ petition lacks merits and is liable to be dismissed.

6. Accordingly, this Writ Petition stands dismissed. No costs.

04.03.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
Lpp

To

1.The District Superintendent of Police,
Vellore District,
Vellore -9.

2.The Inspector of Police,
Vellore Rural Police Station,
Vellore District.

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



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G.K.ILANTHIRAIYAN, J.

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