



W.P.No.37366 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.02.2025

WEB COPY

CORAM :

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM
AND
THE HON'BLE MR.JUSTICE K.RAJASEKAR

W.P.No.37366 of 2024

M.Rajasekaran .. Petitioner

v.

1. The Registrar
Office of State Human Rights Commission
No.143, P.S.Kumarasamy Raja Salai
Greenways Road, Chennai 600 028

2. Thiru.P.Ramakrishnan
3. Thiru.Sakthi Ganesan .. Respondents

Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus, to call for the records of impugned order of the Commission in SHRC Case No.6932/22/44 of 2022 dated 16.09.2024 issued by 1st respondent and quash the same and consequently issue direction to the first respondent to conduct the fresh enquiry on the complaint dated 28.08.2021.



WEB COPY



W.P.No.37366 of 2024

For Petitioner :: Mr.T.Dasarathan
For Respondents :: Mr.D.David Sundar Singh for R1
Mr.M.Babu Muthu Meeran
Additional Public Prosecutor
for R2 & R3

ORDER

(Order of the Court was made by S.M.SUBRAMANIAM,J.)

The complaint filed by the petitioner before the State Human Rights Commission is about the improper investigation conducted by the police in a criminal case. Earlier the complainant filed a complaint against the police and that was numbered by the Commission in SHRC No.5205 of 2019 and after a detailed enquiry, it was dismissed on 15.06.2022. Thereafter, a further complaint was filed. The second complaint was registered as SHRC No.6932 of 2022. The Commission had forwarded the complaint to the Inspector General of Police, West Zone, Coimbatore with a direction to conduct an enquiry and send a report to the Commission and the Inspector General of Police appointed the Deputy Inspector General of Police, Salem as an enquiry officer to conduct enquiry and submit a report. Accordingly, the report was submitted by the Deputy Inspector General of Police. The



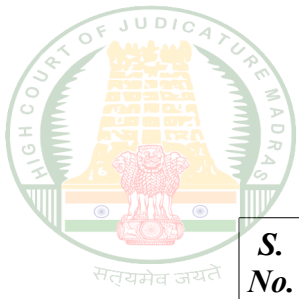
W.P.No.37366 of 2024

said report was elaborately considered by the Commission and the

Commission found that the respondents had acted in accordance with law and not violated the human rights of the complainant. Since the Commission did not find any merit in the case of the writ petitioner, it was closed. The said order is under challenge in the present writ proceedings.

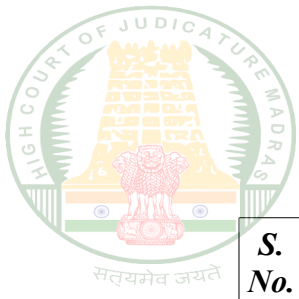
2. The petitioner is already facing 14 criminal cases and the details of the criminal cases registered against him are as under:-

S. No.	Police Station	Cr.No. & Sec.of Law	D.O & D.R	Arrested / Not arrested
1	Velur	Cr.No.108/2019 u/s 419, 420, 294(b), 506(i) IPC	06.03.2019 & 09.03.2019	Formal arrest made Bail granted
2	Paramathi	Cr.No.45/2019 u/s 420 IPC & 45 Advocate Act	17.03.2019 & 17.03.2019	Arrested Bail granted
3	Velur AWPS	Cr.No.02/2019 u/s 294(b), 341, 364, 506(ii), 354A IPC and 4 of TNWH Act	04.03.2019 & 10.03.2019	Formal Arrest made Bail granted
4	Velur AWPS	Cr.No.07/2019 u/s 294(b), 323, 376, 506(ii) IPC (M.F)	22.10.2019 & 22.10.2019	Not arrested (M.F)
5	Velur	Cr.No.1227/2020 u/s 294(b), 323, 506(i) IPC	25.08.2020 & 25.08.2020	Arrested Bail granted
6	Velur	Cr.No.1262/2020 u/s 294(b), 323, 427, 506(ii) IPC	03.09.2020 &	Arrested Bail granted



W.P.No.37366 of 2024

S. No.	Police Station	Cr.No. & Sec.of Law	D.O & D.R	Arrested / Not arrested
			05.09.2020	
7	Nallur	Cr.No.628/2020 u/s 294(b), 323, 419, 427,392 r/w 397 IPC	04.09.2020 & 04.09.2020	Arrested Obtained Bail 164 CrPC statement recorded
8	Velur	Cr.No.1306/2020 u/s 294(b), 417, 419, 420 and 506(ii) IPC	16.06.2020 & 19.09.2020	Arrested Obtained Bail. 164 CrPC statement recorded
9	Velur	Cr.No.1307/2020 u/s 294(b), 419, 506(i) IPC r/w 4 of TNWH Act	16.06.2020 & 19.09.2020	Arrested Obtained Bail. 164 CrPC statement recorded
10	Nallur	Cr.No.638/2020 u/s 417, 419, 420, 506(i) IPC	02.09.2020 & 19.09.2020	Arrested Obtained Bail. 164 CrPC statement recorded
11	V.G.Patty	Cr.No.711/2020 u/s 417, 419, 420, 506(i) IPC	04.09.2020 & 18.09.2020	Arrested Obtained Bail. 164 CrPC statement recorded
12	Puduchatram	Cr.No.513/2020 u/s 120(b), 294(b), 419, 420, 506(i) IPC	27.08.2020 & 20.09.2020	Arrested Obtained Bail. 164 CrPC statement recorded
13	Rasipuram	Cr.No.1533/2020 u/s 353, 309 IPC	10.09.2020 & 11.09.2020	Not arrested
14	Namakkal	Cr.No.1317/2020 u/s 406, 419,	17.08.2020	Formal arrest



W.P.No.37366 of 2024

S. No.	Police Station	Cr.No. & Sec.of Law	D.O & D.R	Arrested / Not arrested
		420, 294(b), 506(i) IPC r/w 4 of Women Harassment Act	& 26.09.2020	made Bail not granted

3. In the present case, the allegation is about improper investigation by the police in a criminal case and therefore there is no impediment for the Commission to refer the matter to the higher police authorities to conduct enquiry. The report of the Deputy Inspector General of Police, Salem was considered by the Commission and it was found satisfactory. That being so, there is no other reason to interfere with the order impugned passed by the Commission. Therefore, the writ petition stands dismissed. No costs.

Index : yes

Neutral citation : yes

(S.M.S.,J.) (K.R.S.,J.)

21.02.2025

SS

To

1. The Registrar

Tamil Nadu State Human Rights Commission

143, P.S.Kumarasamy Raja Salai

Greenways Road, Chennai 600 028



WEB COPY



W.P.No.37366 of 2024

S.M.SUBRAMANIAM,J.

AND

K.RAJASEKAR,J.

SS

W.P.No.37366 of 2024

21.02.2025