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W.A.No.2758 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.09.2025

CORAM :

THE HONOURABLE MR.JUSTICE R. SURESH KUMAR
AND
THE HONOURABLE MR.JUSTICE HEMANT CHANDANGOUDAR

W.A.No.2758 of 2025

1. The Director General
CRPF, CGO Complex
Lodhi Road, New Delhi – 110 003.
2. The Inspector General of Police
Western Sector, CRPF
CGO Complex, CBD Belapur
Navi Mumbai, Maharashtra – 400 614.
3. The Deputy Inspector General of Police
Range Hqr., CRPF, Gandhinagar
Gujarat – 382 042.
4. The Deputy Inspector General of Police
Group Centre, CRPF, Avadi
Chennai – 600 065.
5. The Commandant
111 Battalion CRPF
DRP Line Karli
Dantewada, Chhattisgarh.

.. Appellants

Vs.

G.Raghupathy

.. Respondent

Prayer: Appeal filed under Clause 15 of the Letters Patent, against
the order dated 02.01.2024 made in W.P.No.13757 of 2021.



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For the Appellants : Mr.S.Janarthanam

For the Respondent : Ms.R.Meenakshi

JUDGMENT

(Judgment of the Court was made by R.SURESH KUMAR, J.)

This intra-Court appeal has been directed against the order passed by the Writ Court dated 02.01.2024 made in W.P.No.13757 of 2021.

2. That the respondent was a Member of the Disciplined Force of the appellant, namely, the Central Reserve Police Force, against whom, Disciplinary Proceedings were initiated. There were two charges framed against him. The Enquiry Officer had given a report that both the charges were not proved, however, the Disciplinary Authority, having got a different opinion over the findings given by the Enquiry Officer, had come to the conclusion that both the charges were proved and therefore, he had inflicted the maximum punishment of "dismissal from service" against the respondent delinquent.

3. As against the order of punishment of the Disciplinary Authority, when the respondent preferred an appeal before the Appellate Authority, the Appellate Authority has given findings that,



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insofar as the first charge is concerned, it is not proved; With regard to the second charge, since during the debriefing time, the delinquent was emotional and therefore, that emotion might have been against the Senior Officer, which is against the good-orders and therefore, he has come to the conclusion that some punishment has to be awarded against him and hence, he modified it into "punishment of stoppage of two annual increments with cumulative effect" by the order dated 16.09.2017.

4. As against the said order of the Appellate Authority, unsuccessfully, the delinquent filed a revision before the Revisional Authority, which was dismissed on 21.06.2018. Therefore, against all these orders, the respondent had approached the Writ Court.

5. The learned Writ Court found factually that, two charges since have not been proved, even the Appellate Authority when inflicting the punishment has stated that the first charge has not been proved. Even in respect of the second charge, it has only been stated that during the period of debriefing, the respondent delinquent was emotional/hotheaded against the Senior Officer. However, the learned Judge found that, it has been factually found that the delinquent has not shouted at any Senior Officers by using



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any unparliamentary words and there has been no words to support the case of the prosecution. When that being the position, merely because he had been in an emotional mood, that cannot be stated that the delinquent had indulged in any act of unbecoming a Disciplined Member of the Disciplined Force like the CRPF.

6. Therefore, the learned Judge has come to the conclusion that even the modified punishment awarded against the respondent delinquent is to be set aside and accordingly, he set aside the order of punishment through the order impugned.

7. Though *Mr.S.Janarthanam*, learned Standing Counsel appearing for the appellant made submissions to justify the actions on the part of the Appellate Authority as well as the Revisional Authority in inflicting the punishment on the respondent delinquent, we are not impressed with the said submissions made by the learned Standing Counsel appearing for the appellants for the simple reason that, even according to the Appellate Authority, there has been no evidences to make the charge against the delinquent that as if he had been in violation of any orders or commands given by the Seniors or he has used any unparliamentary words or he has openly scolded the higher officials.



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8. In the absence of any such things, based on the evidences that has been recorded by the Enquiry Officer, it cannot be stated that merely because he was under an emotional mood, even for such a conclusion, there has been no direct evidence, therefore, the punishment, even to the extent of modified punishment of stoppage of two annual increments with cumulative effect, is totally unwarranted. Therefore, the conclusion reached by the learned Judge through the impugned order is fully justifiable and a sustainable one.

9. In that view of the matter, we are not inclined to interfere with the judgment impugned and accordingly, the appeal fails and hence, it is dismissed. However, there shall be no order as to costs. Consequently, C.M.P.No.22160 of 2025 is closed.

(R.S.K., J.) (H.C., J.)
24.09.2025

Speaking Order/Non-Speaking Order
Neutral Citation:Yes/No
Internet:Yes/No
Index:Yes/No

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R. SURESH KUMAR, J.
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