



W.P.(MD)No.1445 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.01.2025

CORAM:

THE HONOURABLE **MR.JUSTICE M.NIRMAL KUMAR**

W.P.(MD)No.1445 of 2025

Muthuramalingam

Vs

.. Petitioner

1. The Inspector General of Police
Office of the Inspector General of Police
South Zone, Race Course Colony
Madurai

2. The Superintendent of Police
Office of the Superintendent of Police
Ramanthapuram District

3. Chinnakannu
The Deputy Superintendent of Police
Muthukulathur Sub Division
Ramanathapuram District

4. The Inspector of Police
Sayalkudi Police Station
Ramanathapuram District

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to
issue a Writ of Mandamus, directing the respondent no.1 to strictly
instruct the respondent no.2 to take appropriate action on the basis of the



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communication issued by the National Human Rights Commission in Case no.1980/22/30/2024 dated 23.10.2024 in accordance with law within the time stipulated by this Court.

For Petitioner : Mr.R. Mani Bharathi
For Respondents : Mr.A.Thiruvadikumar
Additional Public Prosecutor

ORDER

This Writ Petition has been filed to direct the first respondent to strictly instruct the second respondent to take appropriate action on the basis of the communication issued by the National Human Rights Commission in Case no.1980/22/30/2024 dated 23.10.2024 in accordance with law within the time stipulated by this Court.

2. The contention of the petitioner is that on 22.08.2021 one Jancyrani, Inspector of Police, Ilanchembur Police Station had come to the petitioner's house with police team and taken the petitioner to custody and detained him in Kadaladi Police Station and subjected to physical torture. Hence the wife of the petitioner namely Gayathri had filed a writ petition before this Court in W.P(MD) No.15974 of 2021 and this Court



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by an order dated 29.09.2023 directed compensation of Rs.5,00,000/-.

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Thereafter the wife of the petitioner has filed a contempt petition before this Court in Cont.P(MD) No.93 of 2024. This being so, on 24.05.2023 at about 9.30 pm., one Saravanakumar attached to Paramakudi Police Station blocked him near Tamil Nadu Mercantile Bank ATM and threatened him and by force taken a sum of Rs.1,14,000/- from the petitioner. The petitioner has sent representations on 25.05.2023 , 28.06.2024 to the respondent police to take action and to return back the money, since no action taken, the petitioner filed a writ before this Court in W.P(MD) No.19148 of 2024. This Court by order dated 19.08.2024 disposed the writ petition with the direction to the petitioner to approach the third respondent therein. On 26.06.2024 one of the relative of the petitioner namely Murugesan found CCTV camera fixed in the petitioner's house broken and further four sovereigns gold jewels and Rs.60,000/- was found missing from the house. The petitioner sent complaint to the second respondent on 28.06.2024 and no action taken. Hence he filed a writ petition before this Court in W.P(MD) No.20118 of 2024 and this Court directed the concerned authorities to take decision within a period of two weeks. The petitioner appeared before the learned



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Judicial Magistrate, Kamuthi in connection with a case in C.C. No.234 of 2023 on 21.08.2024. At that time two police officials attached to the Sayalkudi Police Station restrained the petitioner in the Court campus and prevented him from appearing before the Court. The petitioner thereafter took taken asylum in his advocate office and thereafter he was taken before the learned Judicial Magistrate, Kamuthi. Fifteen police personnels attached to the fourth respondent surrounded him in the court campus and the petitioner got feared and stayed in the court campus and later he left the Court at about 7.20 pm., Narrating all these facts the petitioner lodged complaint to the National Human Rights Commission which had now issued notice . This being so, the petitioner apprehended that he would be implicated in more criminal cases, hence he had approached this Court.

3. The learned Additional Public Prosecutor submitted that in this case the petitioner was enquired in connection with a case in Crime No. 208 of 2024 in which one Munesswaran, relative of the petitioner is an accused. The Muneeswaran was in fragile health hence notice was served on him and he appeared before the Inspector of Police, Sayalkudi Police



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Station on 12.01.2025 had given a voluntary statement stating that he is the relative to the petitioner and the petitioner had approached him for some tractor business and about some details in Thanjavur District. Hence for the purpose of investigation the petitioner was called for enquiry. Now the petitioner coming to know about the enquiry being conducted with Munesswaran preemptive manner had filed a writ petition on 09.01.2025 making allegations as though since the petitioner had filed the writ petition as against the police officials and approached the Human Rights Commission as though he has been targeted. In this case the relative of the petitioner who is the accused has given statements based on which the respondent police has called the petitioner for enquiry. He further submitted that the petitioner is filing one petition after another ensuring the police not to take any action against him. Further the petitioner is an accused in Crime No.208 of 2024 and the Sayalkudi Police has sent notice to the petitioner under Section 41(A) of Cr.P.C. Apart from this the petitioner has seventeen previous cases to his credit out of which he was convicted in two cases; he got acquittal in fifteen cases and two cases are pending enquiry which are enquired by Elanjempoor Police Station. The petitioner with such criminal record has



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filed this petition into deter the police from taking any action against him.

4. The learned counsel appearing for the petitioner submitted that portion of compensation amount has been paid to the petitioner and the contempt petition has been filed for the remaining amount.

5. It is seen that the petitioner is now required for enquiry in connection with a case in Crime No.208 of 2024 and notice has been issued to the petitioner under Section 41(A) of Cr.P.C., In such circumstances the petitioner cannot claim it to be repressive measure. Further it stated that the W.A(MD) No.1219 of 2024 has been filed against the order passed in W.P(MD) No.15974 of 2021.

6. It is also seen that National Human Rights Commission notice has been sent and now Additional Deputy Superintendent of Police(Women and Children Wing) Ramanathapuram is conducting enquiry and notice is also served to the petitioner and in that enquiry the petitioner not appeared.



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7. In view of the same, the Writ Petition stands dismissed. No costs. It is for the petitioner to appear before the Additional Deputy Superintendent of Police(Women and Children Wing) Ramanathapuram and persue his complaint.

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Index: Yes/No
Internet : Yes/No
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To

1. The Inspector General of Police
Office of the Inspector General of Police
South Zone, Race Course Colony
Madurai
2. The Superintendent of Police
Office of the Superintendent of Police
Ramanthapuram District
3. The Additional Deputy Superintendent of Police
(Women and Children Wing) Ramanathapuram
4. The Inspector of Police
Sayalkudi Police Station
Ramanathapuram District
5. The Additional Public Prosecutor
Madurai Bench of Madras High Court
Madurai.



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M.NIRMAL KUMAR, J.

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