



W.P.Crl.(MD)No.821 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.08.2025

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.Crl.(MD)No.821 of 2025
and W.M.P.Crl.(MD)No.226 of 2025

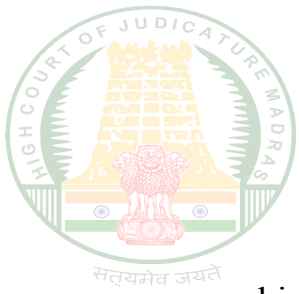
Alphonsal

... Petitioner

versus

1. The Home Secretary,
Government of Tamil Nadu,
Secretariat, Fort St. George,
Chennai – 600 009.
2. The Director General of Police,
Government of Tamil Nadu,
Dr.Radhakrishnana Salai, Mylapore,
Chennai – 600 004.
3. The Superintendent of Police,
Kanyakumari District,
Kanyakumari.
4. The Inspector of Police,
Karungal Police Station,
Kanyakumari.
5. The Dean,
Kanyakumari Government Medical
College and Hospital,
Asaripallam, Nagercoil,
Kanyakumari.

... Respondents



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Writ Petition filed under Article 226 of the constitution of India, seeking for the issuance of Writ of Mandamus (a) directing the State Government to suspend all the erring police officials involved in this brutal incident, with immediate effect; (b) directing the respondents 1 to 4 to register a case of murder based on the complaint dated 29.07.2025 in CRN No.RRC25396897 lodged by the daughter-in-law of the deceased; (c) directing the State Government through respondent No.1 to award an interim compensation payable immediately to the family members of the deceased; (d) direction to conduct a judicial enquiry and to file its report before this Court.

For Petitioner : Mr.M.Dinesh Hari Sudarsan
For R1 to R4 : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor
For R5 : Mr.F.Deepak,
Special Government Pleader

ORDER

The petitioner's mother died in a suspicious manner and a case has been registered by the 4th respondent Police in Crime No.300 of 2025 under Section 194 BNS. While so, the petitioner has filed this petition for the following relief:

(a) directing the State Government to suspend all the erring police officials involved in this brutal incident, with immediate effect;

(b) directing the respondents 1 to 4 to register a case of murder based



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on the complaint dated 29.07.2025 in CRN No.RRC25396897 lodged by the

daughter-in-law of the deceased;

(c) directing the State Government through respondent No.1 to award an interim compensation payable immediately to the family members of the deceased;

(d) direction to conduct a judicial enquiry and to file its report before this Court.

2. The learned Additional Public Prosecutor, even at the outset, has raised serious objections for the prayer in this writ petition.

3. The learned counsel appearing for the petitioner submits that the petitioner is having an apprehension with regard to the manner of investigation. Therefore, the petitioner has filed this writ petition with the above prayer. However, the learned counsel submits that the petitioner would be convinced if the postmortem is conducted in a proper manner and also videographed.

4. The learned Additional Public Prosecutor submits that the petitioner was also permitted to have any Doctor of her choice at the time of



postmortem. The petitioner has also suggested a Doctor, by name, Rajesh.

However, the said Doctor is suffering with cancer and taking treatment and he is also on long leave. Therefore, the respondent Police could not arrange the availability of the Doctor Rajesh during the postmortem. The Police have also suggested the petitioner to bring a private Doctor at the time of postmortem. However, the petitioner, without conceding the suggestion made by the police officials, has wrongly filed this writ petition with the above prayer.

5. This Court considered the rival submissions made.

6. This Court is not inclined to approve the prayer made in this writ petition. However, considering the plight of the petitioner/victim, who lost her mother, this Court is not inclined to impose any cost on the petitioner. At the same time, it is the responsibility of the respondent Police to ensure a fair investigation. The investigation in such cases depends upon the postmortem. Therefore, the respondent Police shall ensure that the entire postmortem is videographed. The respondent Police shall also ensure either the petitioner or any of her relatives to be present in the postmortem room



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during the postmortem. In the event, if the petitioner can arrange any private Doctor of her choice, the said Doctor may also be permitted during the postmortem. This is to ensure that the postmortem has been conducted in a fair manner. The petitioner should not make such unnecessary allegations without any iota of materials and it should be avoided.

7. The learned Special Government Pleader appearing for the 5th respondent is directed to inform the 5th respondent/the Dean, Kanyakumari Government Medical College and Hospital, Asaripallam, Nagercoil, Kanyakumari, to make arrangements for conducting postmortem by today itself.

8. Accordingly, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

01.08.2025

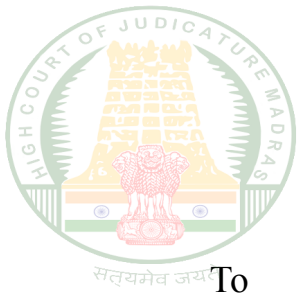
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NCC : Yes / No.

Index : Yes / No.

Internet : Yes / No.

Note: Issue order copy today by 3.00 p.m.



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To
WEB COPY

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6. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI, J.

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