



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-03-2026

CORAM

THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

WP CrI. No. 563 of 2026

Prakasam

Petitioner

Vs

- 1.The Home Secretary,
Office of the Home Secretary,
Govt. of Tamil Nadu, Secretariat,
St.George Fort,
Chennai - 600 009.
- 2.The Director General of Police,
Office of the Director General of
Police,
Head of Police Force,
Govt. of Tamil Nadu,
Dr.Radhakrishana Salai,
Mylapore, Chennai - 600 004.
- 3.The Inspector General of Police,
Office of the Inspector General of
Police,
Central Zone, Trichy - 620 020.
- 4.The District Collector,
Office of the District Collector,
Ariyalur - 621 704.
- 5.The Superintendent of Police,
Office of the Superintendent of
Police,
Ariyalur - 621 704.



6.The Dean
Office of the Dean,
Government Medical College
Hospital, Ariyalur - 621 704.

7.The Deputy Superintendent of Police,
Office of the Deputy Superintendent
of Police, Ariyalur - 621 704.

8.The Inspector of Police,
T.Palur Police Station,
Ariyalur District - 612904.

9.Chief Medical Officer (CMO)
Government Hospital, T.Palur,
Ariyalur District.

Respondents

PRAYER

This writ petition is filed under section 226 of the Constitution of India seeking to issue a WRIT OF MANDAMUS directing the 6th respondent to forthwith furnish the complete postmortem report and the entire videography recording of the autopsy conducted on 02.03.2026 at Ariyalur Government Medical College Hospital in respect of the death of the petitioner's brother Selvakumar in compliance with the directions issued by this court in Santhosh Vs. District Collector, Madurai and to continue to keep the body of Selvakumar in the mortuary till the petitioner gets back within 48 hours of receiving the postmortem report and the video footage of the postmortem and directing the 8th respondent to furnish the audio and video footages available at T.Palur police station for the period from 28.02.2026 at 05.00 p.m to 01.03.2026 at 05.00 a.m. and consequently direct the respondents 2,3 and 5 to collect the said CCTV footage from the 8th respondent and to preserve the same so as to prevent destruction or overwriting of material electronic evidence connected with the custodial torture and subsequent death of his brother Selvakumar



pending disposal of the writ petition and directing the 5th Respondent to register a case under the appropriate provisions of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and relevant provisions of the Bharatiya Nyaya Sanhita against the Inspector of Police, T.Palur Police Station, and all other police personnel concerned in the custodial torture, caste-based abuse, and abetment of suicide of my brother Selvakumar, and to ensure that the investigation is conducted by a competent officer in accordance with the provisions of the SC/ST POA, pending disposal of the Writ Petition and consequently pass such further or other orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

For Petitioner: Mr.Henri Tiphagne

For Respondents: Mr.Leonard Arul Joseph Selvam,
Addl. Public Prosecutor
for RR2,3,5,7 and 8

ORDER

The petitioner, who is the brother of the deceased Mr.Selvakumar, has filed this writ petition seeking for a direction to the authorities concerned to furnish CCTV footage available at T.Palur Police station for the period from 28.02.2026 at 05.00 p.m. to 01.03.2026 at 05.00 a.m. and also to furnish the postmortem report and the entire videography recordings of the autopsy conducted on 02.03.2026 at the Ariyalur Government Medical College Hospital in respect of the death of his brother Selvakumar and also to furnish the postmortem report and the entire videography recording of the autopsy and also to register a case under the appropriate provisions of the Scheduled Castes and



Scheduled Tribes (Prevention of Atrocities) Act, 1989 and relevant provisions of the BNSS against the police personnel concerned with the case and to ensure that the investigation is conducted in accordance with law.

2.Mr.Henri Tiphagne, learned counsel on record for the petitioner appeared before this court through video conferencing platform. Mr.Leonard Arul Joseph Selvam, learned Additional Public Prosecutor takes notice for respondents 2,3,5,7 and 8.

3.The learned counsel for the petitioner submitted that the petitioner belongs to Hindu Adi Dravidar community. The petitioner's brother was a daily wage worker and was the sole breadwinner of the family. He is survived by his wife Ms.Kalaiarasi and speech impairment minor daughter Ms.Sanjana, who is seven years. The petitioner was informed by his brother that on 28.02.2026 at about 05.30 p.m., his brother was accosted by Mr.Sikandar Basha, Inspector of Police, T.Palur Police station along with three other police personnel who had come in the police vehicle. Therefore, the brother of the petitioner stopped his Scooty pep two wheeler bearing registration No.TN 67 AK 2971. The said Inspector of Police enquired him and abused the petitioner's brother by using unparliamentary words for consuming liquor and driving the two wheeler and thereafter, the police have removed the key from his two wheeler and have snatched away his mobile phone. They informed the petitioner's brother to come to the police station to get back his mobile phone.



4. It is further submitted by the learned counsel for the petitioner that the petitioner's brother Selvakumar went to the police station at about 06.30 p.m.

The petitioner's brother was tortured, insulted and humiliated and he was also physically assaulted. The petitioner's brother was forced to write a statement admitting that he had driven the two wheeler in a drunken stage. The petitioner's brother called the petitioner around 07.40 p.m. and informed him about the incident. Thereafter, when the petitioner was trying to contact his brother between 07.50 p.m and 08.50 p.m., but he has not answered. Finally, at about 08.53 p.m., the petitioner's brother answered his call and informed that he had come out of the police station and was walking 50 meters away from the police station. When the petitioner had gone and met him, he noticed swelling on knees, neck and right thigh. The family members had consoled him, took him to the house and asked him to take rest. But unable to bear the humiliation and the cruelty suffered, the petitioner's brother had committed suicide by hanging. Later, his body was brought down and taken to the Government Hospital, T.Palur, but he was declared dead. Thereafter, they have taken the dead body to the T.Palur police station to give a complaint. It is further submitted that a case in crime no.81 of 2026 under section 194(1) of the BNSS was registered but not a case under section 196 of BNSS. On 01.03.2026 at about 03.30 a.m., the dead body of the petitioner's brother was taken in an ambulance to the Ariyalur Government Medical College Hospital and the



postmortem was conducted on 02.03.2026 at about 10.30 a.m.

5. According to the learned counsel for the petitioner, it is a custodial death and that the directions given in ***Santhosh Vs. State of Tamil Nadu [W.P. (MD) No. 12608 of 2020]*** have not been followed. As per the directions given in that case, the autopsy report should be prepared expeditiously and handed over to the investigating officer in that case, so that the final report shall be filed without delay. The copy of the autopsy report as well as the video should be simultaneously given to the legal heir or the representatives of the family of the deceased by the Deans of the Medical College hospitals where such postmortems of custodial deaths are actually conducted. Hence, the present writ petition has been filed.

6. The learned Additional Public Prosecutor appearing for the respondents police authorities submitted that initially, a case in Crime No. 81 of 2026 was registered under Section 194(1) of BNSS and later the case has been altered to section 196 of BNSS and that the alteration report was sent to the Judicial Magistrate No. 1, Jeyamkondam. It is further submitted that the Chief Judicial Magistrate, Ariyalur has nominated the Judicial Magistrate No. 1, Jayankondam to conduct inquest. The Inspector of Police, T. Palur Police station was required to produce the CCTV footage covering the entire ingress and egress of the police station premises for the intervening period from 28.02.2026 to 01.03.2026. The learned Additional public prosecutor has submitted that the



CCTV footage of the police station pertaining to that period along with the CCTV recordings of the postmortem with the postmortem report were collected and handed over to the Judicial Magistrate No.1, Jayamkondam. Therefore, it is submitted that the petitioner can very well collect the video footages of the police station and the postmortem recordings from the Judicial Magistrate No.1, Jayamkondam. The learned Additional Public Prosecutor submitted that the dead body of the deceased was kept in the mortuary and keeping the dead body in the mortuary would only lead to further law and order problem and therefore, after getting the CCTV footages, as aforesaid, the petitioner can collect the dead body for performing the final rites of the deceased. It is further submitted that after getting the inquest report, the appropriate decision would be taken with regard to the further investigation in this case in accordance with law.

7.The learned counsel for the petitioner, on instructions, submitted that once the autopsy report along with the video recordings and the CCTV footages of the police station during the relevant period are handed over to the petitioner, he would immediately collect the dead body of his brother from the government hospital and would perform his final rites in a peaceful manner without creating any law and order problem. The learned counsel submitted that the apprehension of the police about the law and order problem is unfounded and their only prayer is to ensure that the evidence is not tampered with and is safeguarded and to ensure that justice is done.



8. In view of the above factual position and the submissions made by both sides, it is seen that the petitioner's only request now is that he shall be furnished the CCTV footages and recordings in the police station and the postmortem recordings and the postmortem report and according to the learned Additional Public Prosecutor, the same have been handed over to the learned Judicial Magistrate No.I, Jeyamkondam. In the light of the above, this court directs the learned Judicial Magistrate No.1, Jeyamkondam to hand over the copy of CCTV recordings and footage of the T.Palur police station during the relevant period and the CCTV recordings of the postmortem and the postmortem report to the petitioner forthwith and without delay. Thereafter, the petitioner is directed to collect the dead body of the deceased brother Selvakumar kept in the mortuary and to perform the last rites in a peaceful manner without creating any law and order problem and without delay by giving due respect to the deceased. The respondents police are directed to conduct the investigation in accordance with law. With the above directions, this writ petition is disposed of. No costs.

12-03-2026

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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Note to Office: Issue order copy by today (12.03.2026).



To

1. The Home Secretary
Office of the Home Secretary Govt. of
Tamil Nadu, Secretariat, St. George
Fort, Chennai - 600 009.
2. The Director General of Police,
Office of the Director General of
Police, Head of Police Force, Govt. of
Tamil Nadu, Dr. Radhakrishana Salai,
Mylapore, Chennai - 600 004.
3. The Inspector General of Police,
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5. The Superintendent of Police,
Office of the Superintendent of Police,
Ariyalur - 621 704.
6. The Dean
Office of the Dean, Government
Medical College Hospital, Ariyalur -
621 704.
7. The Deputy Superintendent of Police,
Office of the Deputy Superintendent of
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8. The Inspector of Police,
T. Palur Police Station, Ariyalur District
- 612904.
9. Chief Medical Officer (CMO)
Government Hospital, T. Palur, Ariyalur
District.



10. Judicial Magistrate No.1,
Jeyamkondam.

11. The Additional Public Prosecutor,
Madras High Court, Chennai.



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M.NIRMAL KUMAR J.

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