



W.P(MD)No.1413 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.01.2026

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.1413 of 2026

S.Sathishkumar

... Petitioner

Vs

- 1.The Superintendent of Police,
Subramaniyapuram,
Trichy Town and District.
- 2.The Deputy Superintendent of Police,
Armed Reserve Force,
Pudukkottai Road,
Trichy Town and District.
- 3.The Deputy Superintendent of Police,
Manapparai,
Trichy District.
- 4.The Sub Inspector of Police,
Home Guards,
Trichy Town and District.
- 5.The Commander,
Home Guards,
Trichy Town and District.



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6.The Inspector of Police,
Valanadu Police Station,
Trichy District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of MANDAMUS, directing the 1st Respondent to revoke the removal order against the petitioner dated 20.03.2025 and to reinstate him, to the post of Home Guard - Jawan attached to the 3rd Respondent and permit him to continue his service based on his representation dated 08.12.2025 according to law with in the stipulated time limit.

For Petitioner : Mr.N. Palaniyandi,
For Respondents : Mr.C.Venkatsh Kumar
Special Government Pleader

ORDER

The petitioner has been engaged as a Homeguard by the Superintendent of Police, Subramaniyapuram, Trichy in the year 2017. He has been removed from service on 20.03.2025, pursuant to his involvement in a criminal case in Crime No.33 of 2025, registered by Valanadu Police Station, for the offence under Sections 296(b), 115(2) of BNS r/w Section 4 Tamil Nadu Prohibition of



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Harassment of Women Act, 1998. On completion of investigation, final report was filed before the Judicial Magistrate Court, Manapparai in CC No.74 of 2025. After full-fledged trial, the petitioner was acquitted by the trial Court on 03.12.2025. The petitioner by referring to the subsequent development of acquittal in the criminal case, has filed this writ petition seeking a writ of Mandamus, directing the first respondent to revoke the order of removal and to reinstate him into service.

2.The learned counsel appearing for the petitioner submits that this petitioner has been removed from service, pursuant to his involvement in the criminal case registered in Crime No. 33 of 2025, on the file of Valanadu Police Station. However, the petitioner has been acquitted by the competent trial Court, by a Judgment dated 03.12.2025 and therefore the order of removal has to be set aside and he has to be reinstated into service.



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3.Mr.C.Venkatsh Kumar, learned Special Government

Pleader takes notice for the respondents and submits that the petitioner has been engaged as a Homeguard on contract basis. He has been terminated for his involvement in a criminal case. Though he has been acquitted in the criminal case, it was not an honorary acquittal and it was only on the ground of benefit of doubt. Therefore, there is no need to interfere with the order of termination.

4.This Court considered the rival submissions made and also perused the materials placed on record.

5.The petitioner, who was engaged as a Homeguard in the respondent Department on contract basis, has approached this Court that the order of termination has to be set aside and he has to be reinstated into service, on the ground that he was acquitted by the competent trial Court in the criminal case, which was registered as against him. On the side of the respondents, it is contended that the petitioner was engaged only on contract basis. Moreover, he has



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involved in a criminal case in Crime No.33 of 2025, on the file of the Valanadu Police Station, for the offence under Sections 296(b), 115(2) of BNS r/w Section 4 Tamil Nadu Prohibition of Harassment of Women Act, 1998. After conducting investigation, the final report has been filed and the same was taken on file by the learned Judicial Magistrate, Manapparai in CC No.74 of 2025. However, the petitioner has been acquitted on the ground of benefit of doubt. Though the petitioner claimed that he was acquitted by the trial Court, it was not an honorary acquittal. That apart, there is no details with regard to the appointment order that this petitioner has been appointed as Homeguard in the respondent Department. Without knowing the nature of employment, this Court is not in a position to interfere with the order of removal, which has been passed based on the Criminal case, which was registered as against him. When the petitioner has been engaged only on contractual basis and he has been acquitted in the criminal case on the ground of benefit of doubt, he cannot claim it as a matter of right for reinstatement into the service. This Court is of the view that mere acquittal in the criminal



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case on the ground of benefit of doubt cannot be a valid ground to issue a direction to the respondents to reinstate the petitioner as home guard.

6.In view of the above, this Court is not inclined to entertain this writ petition. Accordingly, this writ Petition is dismissed. No costs.

21.01.2026

NCC: Yes/No
Index:Yes/No
Internet:Yes
vrn



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B.PUGALENDHI, J.

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