



W.P.No.33574 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 26.11.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.33574 of 2025

K.Vijaya Kumar

... Petitioner

Vs.

1.THE DIRECTOR GENERAL OF POLICE,
Dr.Radhakrishnan Salai,
Mylapore, Chennai 600 004

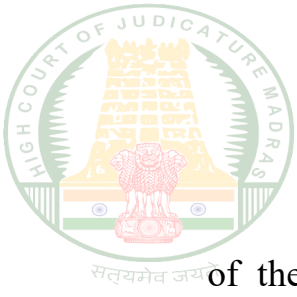
2.THE DEPUTY INSPECTOR GENERAL OF POLICE,
COIMBATORE RANGE, COIMBATORE DISTRICT.

3.THE SUPERINTENDENT OF POLICE,
DISTRICT POLICE OFFICE,
TIRUPPUR

... Respondents

PRAYER:

Writ Petition is filed under Article 226 of Constitution of India
praying to issue a Writ of Certiorarified Mandamus calling for the records



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of the 1st Respondent vide Rc.No.NGB I (2) /E/GDP 01/2025 dated
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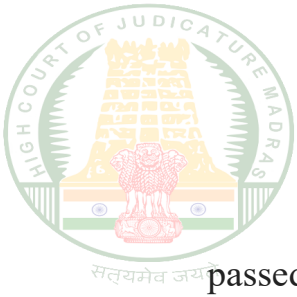
04.07.2025 rejecting promotion of the petitioner to the post of Inspector of Police and quashing the same as null and void and consequently direct the respondents to promote the petitioner temporarily as Inspector of Police (Taluk) by including his name in the 'C' list of SI's fit for promotion as Inspector of Police for the Panel Year 2024-2025 with all attendant benefits without taking into account the pendency of the criminal prosecution in C.C. No.91/2016 on the file of the Learned CJM, Coimbatore within time frame

For Petitioner : Mr.K.Ravi Anantha Padmanabhan,
Senior Counsel
for Mr.S.Dayanand

For Respondents : Mr.V.Jeevagiridharan,
Additional Government Pleader

ORDER

This writ petition has been filed challenging the order



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passed by the first respondent dated 04.07.2025 thereby rejecting the
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request made by the petitioner seeking promotion to the post of Inspector of Police temporarily while pending criminal case.

2. The case of the petitioner is that he while working as Sub Inspector of Police in Kaniyur Police Station, Tiruppur District, one, Chandra was arrested in crime No.547 of 2014 for the offence punishable under Section 302 of IPC on the file of the Udumalpet Police Station, Tiruppur District. In the said case, the Inspector of Police, Udumalpet was the investigation officer. While being so, under the Head of Deputy Superintendent of Police who is having jurisdiction of seven police stations including Udumalpet Police Station and Kaniyur Police Station where the petitioner was working as Sub Inspector of Police, sub division meeting was conducted on 13.08.2014. The petitioner went for the meeting at Udumalpet. At that juncture, the call detail records in respect of crime No.547 of 2014 on the file of the Inspector of Police, Udumalpet

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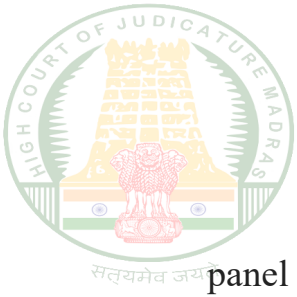
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Police Station was handed over to the petitioner to verify the call detail

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records since the petitioner is specialist in that field. The petitioner verified and found that all the call details related to one, Chandra. Accordingly, the said Chandra was arrested and remanded to judicial custody on 14.08.2014. Thereafter, the said Chandra met her daughter at Central Prison, Coimbatore on 24.08.2024. Thereafter, she lodged complaint before the learned Judicial Magistrate-I, Udumalpet alleging that she was tortured by the police personnel of Udumalpet Police Station. However, the said complaint was initially returned by holding that no prima facie case was made out. Thereafter, her daughter approached this Court and obtained order of further investigation by CBI. CBI enquired about the custodial torture and filed charge sheet against eight persons in which the petitioner is one of the accused (A1) for the offence punishable under Sections 342 & 348 of IPC. It also culminated into trial in CC.No.91 of 2016 on the file of the Chief Judicial Magistrate, Coimbatore. While being so, though the petitioner was included in the

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panel for promotion to the post of Inspector of Police, the petitioner was
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not promoted to the post of Inspector of Police on account of pendency of the criminal case. Therefore, the petitioner submitted representation to promote the petitioner to the post of Inspector of Police temporarily subject to the result of the criminal case. During the test identification parade, the accused Chandra did not even identify the petitioner as that he also had tortured her in the Udumalpet Police Station. Further, the petitioner was Sub Inspector of Police of Kaniyur Police Station, Tiruppur District. He went for sub division meeting conducted by Deputy Superintendent of Police in the Office of the Deputy Superintendent of Police. At the meeting, the petitioner was handed over the call detail records and he verified the call details of the accused. The petitioner has been falsely implicated as an accused only because of the order of direction issued by this Court for further investigation by CBI.

3. The learned counsel for the respondent would submit that



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now the petitioner is facing criminal case in CC.No.91 of 2016 on the file
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of the Chief Judicial Magistrate, Coimbatore and two witnesses have been examined so far and trial is pending. Therefore, pending trial, the petitioner is not entitled for any promotion. Further, pendency of trial is a sufficient ground for deferment of service benefits including the promotion.

4. However, this Court is of the view that those contentions cannot be countenanced since the alleged occurrence took place on 13.08.2014 and the trial is pending from the year 2016 in CC.No.91 of 2016. Even till today, only two witnesses have been examined by the trial court. The trial is pending for the past nine years without any progress. That apart, it is also curious to note that so far the petitioner has not been served with any charge memo for initiating disciplinary proceedings against him. As rightly pointed out by the learned Senior Counsel appearing for the petitioner, the petitioner was not identified by the

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accused in crime No.547 of 2014. She was the sole accused for the
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offence punishable under Section 302 of IPC and in fact, she was remanded to judicial custody on 14.08.2014. On the date of her remand, she did not even make any complaint before the Judicial Officer that she was beaten by the police personnel. She lodged complaint only after meeting her daughter on 24.08.2024. In fact, on filing of the said complaint about the custodial torture, the learned Judicial Magistrate-I, Udumalpet returned the complaint holding that no prima facie case was made out to entertain the complaint against the police personnel with allegation that they tortured the accused in the police station. The petitioner also produced records to show that the petitioner had attended the sub division meeting conducted by the Deputy Superintendent of Police on 13.08.2014. Therefore, the other records show that the petitioner was Sub Inspector of Police of Kaniyur Police Station, Tiruppur District. Only on 13.08.2014, he went to Udumalpet to attend the sub division meeting conducted by the Deputy Superintendent of

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Police. Further during the test identification parade, the petitioner was not even identified by the complainant to prove the charge of custodial torture. Therefore, there is absolutely no evidence to show that the petitioner involved in the custodial torture, that too in Udumalpet Police Station. In fact, the petitioner's name was found in the seniority list dated 08.10.2025 for promotion to the post of Inspector of Police. In the revised seniority list dated 22.11.2025, the name of the petitioner is found missing due to pendency of the criminal case. Therefore, the case of the petitioner can be considered for promotion as exceptional one even during pendency of the criminal case.

5. In view of the above discussion, the order impugned cannot be sustained and the same is liable to be set aside. Accordingly, the impugned order passed by the first respondent dated 04.07.2025 is set aside. The respondents are directed to include the petitioner's name in the 'C' list of Sub Inspector of Police fit for promotion as Inspector of Police

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for the panel year 2024-2025 and promote the petitioner temporarily to the post of Inspector of Police with all benefits subject to the result of the criminal case in CC.No.91 of 2016 on the file of the Chief Judicial Magistrate, Coimbatore, within a period of four weeks from the date of receipt of this order.

6. With the above directions, this writ petition stands allowed.

There shall be no order as to costs.

26.11.2025

Neutral citation: Yes/No

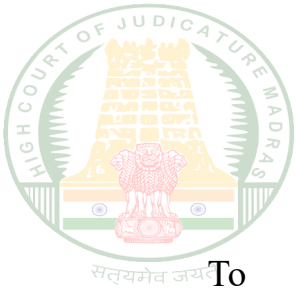
Index: Yes/No

Speaking/Non-speaking order

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G.K.ILANTHIRAIYAN, J.

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To

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1.THE DIRECTOR GENERAL OF POLICE,

Dr.Radhakrishnan Salai,

Mylapore, Chennai 600 004

2.THE DEPUTY INSPECTOR GENERAL OF POLICE,

COIMBATORE RANGE, COIMBATORE DISTRICT.

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