



WP(MD) Nos.22169 & 22170 of 2021

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Special Original Jurisdiction)

Tuesday, the Fifth day of December Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice K.K.RAMAKRISHNAN

WP(MD) Nos.22169 & 22170 of 2021

RAMESH

... PETITIONER IN WP(MD).22169/2021

MANIKANDAN

... PETITIONER IN WP(MD).22170/2021

Vs

1 THE HOME SECRETARY
SECRETARY TO GOVERNMENT,
CHENNAI 600 001.

2 THE DIRECTOR GENERAL OF POLICE,
DGP OFFICE, RADHAKRISHNAN SALAI,
CHENNAI 600 004.

3 THE SUPERINTENDENT OF POLICE,
SIVAGANGAI DISTRICT, SIVAGANGAI 630 562.

4 THE INSPECTOR OF POLICE,
THIRUPPUVANAM POLICE STATION,
SIVAGANGAI DISTRICT 630611.

5 RAJESH
THEN SUB INSPECTOR OF POLICE,
THIRUPPUVANAM POLICE STATION,
SIVAGANGAI DISTRICT 630 611.



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6 KARUNATHI,
THEN HEAD CONSTABLE OF POLICE,
THIRUPPUVANAM POLICE STATION,
SIVAGANGAI DISTRICT 630 611.

7 RAMAMOORTHY
THEN ASSISTANT ENGINEER,
PUBLIC WORK DEPARTMENT,
THIRUPPUVANAM 630 611.

... RESPONDENTS 1-7
IN BOTH PETITIONS

PRAYER IN WP(MD).22169/2021:

Writ Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to issue a WRIT OF MANDAMUS directing the Respondents No.1 to 3 to pay Rs.20,00,000/- (Twenty lakhs Rupees) as a compensation of false prosecution without single evidence or documents in order to escape from the custodial torture made by the 5th and 6th respondents to the petitioner in the 4th respondent police station in acquitted case in C.C.No.240 of 2019, dated 13.07.2021, on the file of the Learned Judicial Magistrate Court, Thiruppuvanam and consequently direct to legal with disciplinary actions against the respondents Nos.5 to 6 as per the enquiry report of finding in C.No.H1/26251/2011, dated 12.08.2011, in the interest of Justice to the petitioner based on the representation on 12.11.2021, within a stipulated time may be fixed by this Hon'ble Court.

Prayer in WP(MD). 22170/ 2021 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a WRIT OF MANDAMUS directing the Respondents No.1 to 3 to pay Rs.20,00,000/- (Twenty lakhs Rupees) as a compensation of false prosecution without single evidence or documents in order to escape from the custodial torture made by the respondents 5 and 6 to the Accused No:1 namely Ramesh in the 4th respondent police station in acquitted case in C.C.No.240 of 2019, dated 13.07.2021, on the file of the Learned Judicial Magistrate Court, Thiruppuvanam and consequently direct to legal with disciplinary actions against the respondents Nos.5 to 6 as per the enquiry report of finding in C.No.H1/26251/2011, dated 12.08.2011, in the interest of Justice to the petitioner based on the representation on 12.11.2021, within a stipulated time may be fixed by this Hon'ble Court.

<https://www.mhc.in.gov.in/judis>



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ORDER : These Writ Petitions coming up for orders on this day, upon perusing the petitions and the affidavits filed in support thereof and upon hearing the arguments of M/S.SENTHILKUMAR.R, Advocate for the petitioner in both Petitions and of Mr.T.SENTHIL KUMAR, Additional Public Prosecutor on behalf of the Respondents No.1 to 4 in both Petitions and Mr.SARAVANAN, Senior Advocate for Mr.RM.ARUN SWAMINATHAN, Advocate for the Respondents No.5 & 6 in both Petitions and Mr.C.SUSI KUMAR, Advocate for the 7th Respondent in both Petitions, the court made the following order:-

Today, when the matter was taken up for hearing, the learned Additional Public Prosecutor submitted that in spite of best efforts, they are not able to trace the CSR particulars. Hence, this Court directs the Superintendent of Police to file a report about the missing of the CSR particulars.

2.List this case on 11.12.2023.

sd/-
05/12/2023

/ TRUE COPY /

/12/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SBN
TO
1 THE HOME SECRETARY
SECRETARY TO GOVERNMENT,
CHENNAI 600 001.

2 THE DIRECTOR GENERAL OF POLICE,
DGP OFFICE, RADHAKRISHNAN SALAI,
CHENNAI 600 004.



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3 THE SUPERINTENDENT OF POLICE,
SIVAGANGAI DISTRICT, SIVAGANGAI 630 562.

4 THE INSPECTOR OF POLICE,
THIRUPPUVANAM POLICE STATION,
SIVAGANGAI DISTRICT 630611.

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN

WP(MD) Nos.22169 & 22170 of 2021
Date :05/12/2023

SA/DD/SAR. /08.12.2023/4P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.