

S U P R E M E                      C O U R T   O F   I N D I A  
RECORD OF PROCEEDINGS

CRIMINAL APPEAL NO(s). 456-457 OF 2005

S. MURUGAIYAN

Appellant (s)

VERSUS

NIRMALA RANI & ANR.  
(With office report )  
WITH

Respondent(s)

APPEAL(CRL) NO. 458 of 2005(With office report)  
APPEAL(CRL) NO. 459 of 2005(With office report)  
APPEAL(CRL) NO. 460 of 2005(With office report)

Date: 12/07/2011 These Appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MARKANDEY KATJU  
HON'BLE MR. JUSTICE CHANDRAMAULI KR. PRASAD

For Appellant(s)                      Mr. Siddhartha Dave, Adv.  
   Mr. Senthil Jagadeesan, Adv.for  
   Mr. V. Ramasubramanian,Adv.

For Respondent(s)                      Ms. Kamini Jaiswal,Adv.  
   Mr. Divyesh Pratap Singh, Adv.  
   Mr. Abhimanue Shrestha, Adv.  
   Mr. Raj Kumar, Adv.

Mr. Prashant Bhushan, Adv.

Mr. Harish Chandra, Sr. Adv.  
Mr.Mukesh Verma, Adv.  
Mr.Krishan Kumar, Adv.for  
Mr. Arvind Kumar Sharma, Adv.

Mr. Parag P. Tripathi, ASG for  
Mr. S. Thananjayan, Adv.

UPON hearing counsel the Court made the following  
O R D E R

Criminal Appeal Nos.456-457 of 2005 are disposed of  
and Criminal Appeal Nos.458,459 and 460 of 2005 are  
dismissed in terms of the signed order.

(Parveen Kr. Chawla)  
Court Master

(Indu Satija )  
Court Master

[signed order is placed on the file]

IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NOS.456-457 OF 2005

S.Murugaiyan

..Appellant

versus

Nirmala Rani &amp; Another

..Respondents

WITH

CRIMINAL APPEAL NO.459 OF 2005  
CRIMINAL APPEAL NO.460 OF 2005  
CRIMINAL APPEAL NO.458 OF 2005

O R D E R

Criminal Appeal Nos.456-457 of 2005

These Appeals have been filed against the impugned judgment and order dated 18th February, 2003 passed by the High Court of Judicature at Madras in Criminal Original Petition No. 3071 of 2003 and subsequent order dated 04th March, 2003 passed in the review application.

By the impugned orders, the High Court has directed the State of Tamil Nadu to initiate disciplinary proceeding against the appellant herein who is a police officer.

Heard learned counsel for the parties.

On the facts of this particular case, we clarify that the aforesaid direction given by the High Court to initiate disciplinary proceeding against the appellant herein shall be treated as only a recommendation to the State Government and not a direction. It is up to the State Government to

CRIMINAL APPEAL NOS.456-457 OF 2005 etc.etc.

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thereafter do the needful.

With this clarification, the Appeals are disposed of.

Criminal Appeal Nos.458, 459 and 460 of 2005

In view of our order passed today in Criminal Appeal Nos.456-457 of 2005, these appeals are dismissed.

.....J.  
[MARKANDEY KATJU]

NEW DELHI;  
JULY 12, 2011

.....J.  
[CHANDRAMAULI KR. PRASAD]