

WP CRL.(MD). No.1503 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 17/11/2025

CORAM

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

WP CRL.(MD). No.1503 of 2025

Thavakannan

... Petitioner

Vs

1.The Director General of Police,
No.1, Dr. Radhakrishnan Salai,
Mylapore,
Chennai 600 004.

2.The Superintendent of Police,
Virudhunagar,
Virudhunagar District.

3.The Inspector of Police,
Narikudi Police Station,
Virudhunagar District.

... Respondents

Prayer :- Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the respondents No. 1 to 3 to initiate appropriate legal and criminal action based on the petitioner representation dated 12.04.2025 by considering the brutal police custodial assault and injuries within a stipulated time that may be stipulated by this Court.

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For Petitioner : Mr.R.Karunanidhi,
Advocate.

For Respondents : Mr.R.Meenakshi Sundaram
Additional Public Prosecutor (Crl.Side)

ORDER

The petitioner seeks a direction to the respondents 1 to 3 to initiate appropriate legal and criminal action with regard to the brutal police custodial assault and injuries, based on his representation dated 12.04.2025.

2.The gist of the allegations is that the petitioner was arrested by certain police officers in connection with the case in Crime No.34 of 2020; that after taking the petitioner into custody, the police officers had attacked the petitioner; that the department had also initiated disciplinary proceedings against two of the police officers; that the charges against them were that they attacked and caused injury to the petitioner while he was in police custody and that since the act of these two police officers constitute cognizable offences, the respondent police ought to have registered an FIR.



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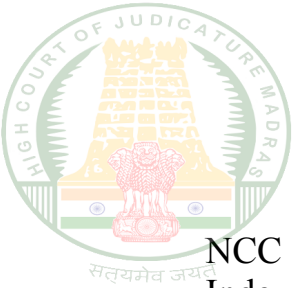
3.The learned Additional Public Prosecutor appearing for the respondents, however, would submit that the departmental proceedings would not be binding and that the impugned FIR cannot be registered merely because there is a charge against two police officers that they had beaten the petitioner.

4.Admittedly, the disciplinary proceedings were initiated by the respondents against two police officers and the charge against them was that they had attacked and caused hurt to the petitioner while in police custody. The allegation in the said charge constitutes cognizable offences. Therefore, the respondents are bound to register an FIR against the two police officers, against whom departmental proceedings were initiated and proceed against them in accordance with the law.

5.Hence, the respondents are directed to register the FIR and take action in accordance with law.

6. Accordingly, this Writ Petition is disposed of.

17.11.2025



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NCC :Yes/No

Index :Yes/No

Internet :Yes/No

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TO

- 1.The Director General of Police,
No.1, Dr. Radhakrishnan Salai,
Mylapore,
Chennai 600 004.
- 2.The Superintendent of Police,
Virudhunagar,
Virudhunagar District.
- 3.The Inspector of Police,
Narikudi Police Station,
Virudhunagar District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SUNDER MOHAN,J

CP

ORDER
IN
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Date : 17/11/2025