

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

Wednesday, the Twenty Fourth day of June Two Thousand Twenty

PRESENT

**The Hon`ble Mr Justice P.N.PRAKASH
and
The Hon`ble Mr Justice B.PUGALENDHI**

Suo motu W.P. (MD) No.7042 of 2020

THE REGISTRAR (JUDICIAL)
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

... PETITIONER

Vs

1. THE STATE OF TAMILNADU REP. THROUGH ITS
THE SUPERINTENDENT OF POLICE,
THOOTHUKUDI DISTRICT, THOOTHUKUDI.

2 THE INSPECTOR OF POLICE,
SATHANKULAM POLICE STATION,
THOOTHUKUDI DISTRICT.

3 THE SUPERINTENDENT,
KOVILPATTI SUB JAIL,
KOVILPATTI, THOOTHUKUDI DISTRICT.

4 THE DEAN
MEDICAL COLLEGE HOSPITAL,
HIGH GROUND, PALAYAMKOTTAI,
TIRUNELVELI DISTRICT.

5 RAGHUGANESAN

6 MURUGAN

... RESPONDENTS

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Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to issue a Writ of Mandamus directing the first respondent to submit a report on the death of Pennis and Jeyaraj, accused in Sathankulam P.S., Cr.No.312 of 2020 and or pass any other order/direction as this Honourable Court may deem fit and proper, in the circumstances of the case and thus render justice.

ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the submission of THE REGISTRAR(JUDICIAL) - petitioner and hearing the arguments of MR.K.CHELLAPANDIAN, Additional Advocate General assisted by Mr.R.ANANDHARAJ, Additional Public Prosecutor on behalf of the Respondents R1 to R4, the court made the following order:-

We heard Mr. K. Chellapandian, learned Additional Advocate General and Mr. Shanmuga Rajeswaran, I.P.S., Inspector General of Police, South Zone and Mr. Balagopalan, I.P.S., Superintendent of Police, Tuticorin, via audio call and video conferencing.

2 On instructions, the learned Additional Advocate General submitted that Balakrishnan and Raghuganesan, Sub Inspectors of Police, Sathankulam P.S. have been placed under suspension; Sridhar, Inspector of Police, Sathankulam P.S., has been kept in waiting and the Superintendent of Police, Tuticorin, has taken action against Muthuraj and Murugan, two Head Constables attached to Sathankulam P.S. He further submitted that the learned Judicial Magistrate, Kovilpatti, is conducting inquest at the Government Hospital, Tirunelveli, where, the two bodies are kept.

3 This Court directs the Tirunelveli District administration to provide necessary infrastructure and support to the Judicial Magistrate, Kovilpatti, for conducting the inquest and there shall not be any interference whatsoever in his work. We are aware that only after the inquest, post-mortem can be done as directed by one of us (*B.Pugalendhi, J.*) vide order dated 23.06.2020 in CrI.O.P. (MD) No.6651 of 2020. We reiterate that post-mortem shall be done by a team of three experts and that the same should be videographed.

4 The learned Additional Advocate General expressed apprehension that the social distancing norms may not be violated while the bodies are being taken for funeral. We make it clear that we are not relaxing the social distancing norms prescribed by the Government for funerals as the spread of COVID-19 pandemic is rampant.

5 We direct the Tirunelveli and Tuticorin District administration to keep the public informed of the fact that the Madurai Bench of Madras High Court is closely monitoring the case and thereby, instill confidence in them.

6 The Superintendent of Police, Tuticorin, shall file a status report on 26.06.2020 (Friday).

7 A copy of the inquest report and post-mortem report shall be sent to the Registrar (Judicial), Madurai Bench, in sealed covers as and when they are completed.

Call on 26.06.2020 (Friday) for the Superintendent of Police, Tuticorin, to file status report.

sd/-
24/06/2020

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/ /2020

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

TO

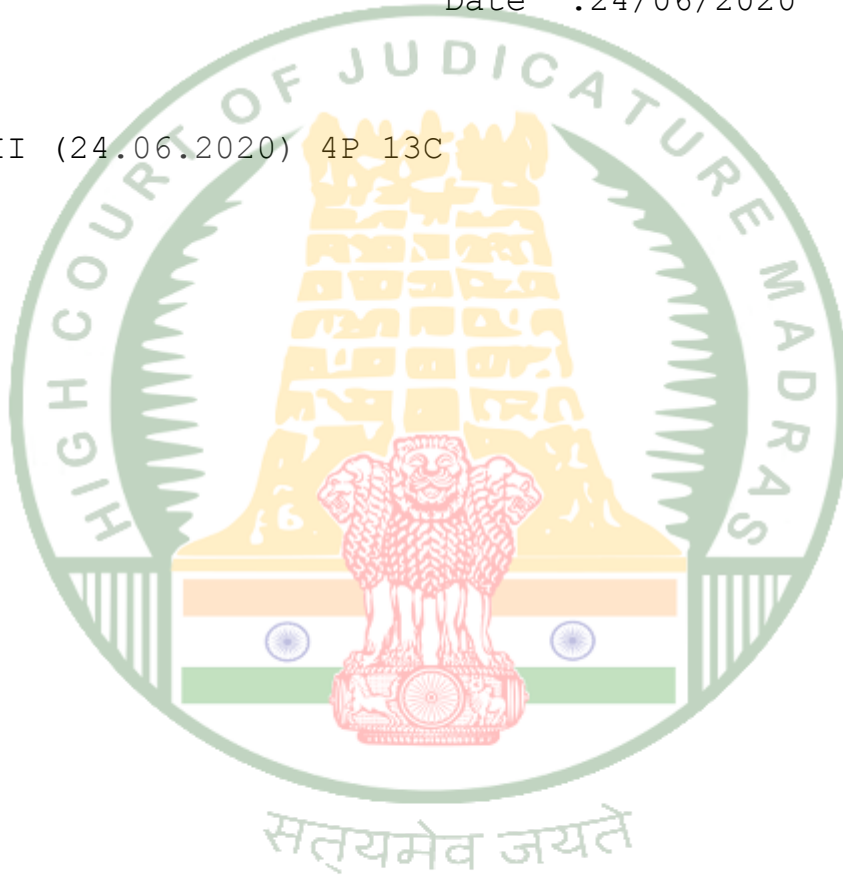
- 1 THE SUPERINTENDENT OF POLICE,
THOOTHUKUDI DISTRICT, THOOTHUKUDI.
- 2 THE INSPECTOR OF POLICE,
SATHANKULAM POLICE STATION,
THOOTHUKUDI DISTRICT.
- 3 THE SUPERINTENDENT,
KOVILPATTI SUB JAIL,
KOVILPATTI, THOOTHUKUDI DISTRICT.
- 4 THE DEAN
MEDICAL COLLEGE HOSPITAL,
HIGH GROUND, PALAYAMKOTTAI,
TIRUNELVELI DISTRICT.
5. THE DIRECTOR GENERAL OF POLICE,
CHENNAI
6. THE INSPECTOR GENERAL OF POLICE,
SOUTH ZONE, MADURAI.
7. THE DEAN
GOVERNMENT HOSPITAL,
TIRUNELVELI.
8. THE DISTRICT COLLECTOR,
TIRUNELVELI.
9. THE DISTRICT COLLECTOR,
TUTICORIN
10. THE JUDICIAL MAGISTRATE,
SATHANKULAM.

11. THE JUDICIAL MAGISTRATE,
KOVILPATTI.

COPY TO:
THE REGISTRAR (JUDICIAL)
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
Suo motu W.P. (MD) No.7042 of 2020
Date :24/06/2020

cad
AE/RSK/SAR-II (24.06.2020) 4P 13C



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