

Madras HC directs trial court to ensure speedy trial in Avaniyapuram custodial death case

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MADURAI: The Madurai Bench of the Madras High Court recently directed the VI Additional District and Sessions Court, Madurai to ensure speedy trial in the case pertaining to the alleged custodial torture and death of a 22-year-old youth M Balamurugan in Avaniyapuram in 2019. A bench comprising justices J Nisha Banu and S Srimathy passed the order on a suo motu petition filed in 2021 seeking to ensure that an FIR is registered and a fair probe is conducted, preferably by the CBI, in the aforesaid case.

The suo motu proceedings had been initiated by taking cognisance of a letter sent by advocate Henri Tiphagne on November 12, 2019. In his letter, Tiphagne had stated that the deceased Balamurugan was taken to police custody on October 20, 2019, in connection with kidnap of a youth for ransom, but he did not return home. Two days later, his father one Muthukaruppan, received information from the Government Rajaji Hospital (GRH) that his son has been hospitalised.

Alleging that his son was tortured in police custody, Muthukaruppan raised a complaint before higher police officers and moved the magistrate court and the high

court bench seeking relief. Hearing his plea, the high court directed Madurai Police Commissioner to ensure safe custody of the CCTV footage of Avaniyapuram police station from October 20 to 22, 2019. Meanwhile, Balamurugan was declared dead on October 25, 2019 and further directions were issued for videographing his postmortem.

However, Muthukaruppan suddenly withdrew his petition on November 11, 2019. Later, alleging that Muthukaruppan was threatened by the local police, Tiphagne wrote to the court seeking its intervention. He also submitted audio conversations of the persons allegedly involved in the intimidation. Taking suo motu cognisance of Tiphagne's letter, the high court monitored the investigation and passed several directions fixing deadlines for timely completion of the probe and filing of chargesheet in the case.

When the matter was heard early this week, the government counsel submitted that the CB-CID completed the investigation and filed its chargesheet in 2023, which has been taken on file by the VI Additional District and Sessions Court, Madurai and posted to April 9, 2025 for framing of charges. The court's website revealed that seven police personnel including the then Avaniyapuram inspector Ramani have been chargesheeted in the case under Sections 330 (Voluntarily causing hurt to force someone to confess), 304(2) (Culpable homicide not amounting to murder), 34 (Joint liability), 167 (Public servants falsifying documents intentionally to cause harm), 218 (Public servant framing incorrect record), 342 (Punishment for wrongful confinement) of the Indian Penal Code.

Observing that no further orders were necessary, the court disposed of the petition with the above direction.

<https://www.newindianexpress.com/states/tamil-nadu/2025/Mar/09/madras-hc-directs-trial-court-to-ensure-speedy-trial-in-avaniyapuram-custodial-death-case>