

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.03.2018

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THE HONOURABLE MR.JUSTICE M.S. RAMESH

Crl.O.P.No.5386 of 2018

Chitra

..Petitioner

Vs.

1.The Commissioner of Police  
Chennai City,  
Veppery,  
Chennai 600 007.

2.The Inspector of Police,  
Thirumullaivoyal Police Station,  
Chennai 600 062.

3.The Inspector of Police  
Tank Factory Police Station,  
Avadi, Chennai.

...Respondents

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to pass an order of direction, directing the first respondent consider the representation of the petitioner dated 12.02.2018 and the first respondent to HOLD an enquiry under Section 151 PSO Act in to the torture of the petitioner's husband Mohanraj son of Deivasigamani by exchanging the false FIRs in Crime No.54 of 2018 on the file of Inspector of Police, Thirumullaivoyal Police Station, the second respondent herein and Crime No.39 of 2018 on the file of Inspector of Police, Tank Factory Police Station, the third respondent herein for the purpose of detaining the petitioner's husband Mohanraj under Tamil Nadu 14/82 to secure the ends of justice.

For Petitioner : Mr.R.Sankarasubbu

For Respondents : Mrs.Kritika Kamal.P  
Government Advocate (Crl.Side)

## ORDER

The prayer in the present petition is to direct the first respondent to consider the representation of the petitioner dated 12.02.2018 and to HOLD an enquiry under Section 151 Police Standing Order Act, in regard to the torture of the petitioner's husband Mohanraj, S/o.Deivasigamani by exchanging the false FIRs in Crime No.54 of 2018 on the file of the Inspector of Police, Thirumullaivoyal Police Station, the second respondent herein and Crime No.39 of 2018 on the file of Inspector of Police, Tank Factory Police Station, the third respondent herein for the purpose of detaining the petitioner's husband Mohanraj under Tamil Nadu 14/82 to secure the ends of justice.

2. When the petitioner made a representation dated 12.02.2018, to the first respondent herein, seeking for a direction to prevent the concerned officials from detaining her husband under Tamil Nadu Act 14/82, the said representation was kept pending and hence, the present Crl.O.P.No.5385 of 2018 has been filed.

3. In my view, the decision to pass a detention order is based on the materials available before the concerned Authority and as such, the prayer sought for in the representation as well as in the present Criminal Original Petition cannot be considered. This Court exercising its power under Section 482 of Cr.P.C., cannot step into the shoes of the detaining Authority to ascertain as to whether the petitioner's husband can be mulcted with a detention order.

4. In view of the same, there are no merits in this Criminal Original Petition and accordingly the same shall stands dismissed.

Sd/-

Asst.Registrar (CS III )

/true copy/ जयते

Sub Asst. Registrar

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To

1.The Commissioner of Police  
Chennai City,  
Veppery,  
Chennai 600 007.

2.The Inspector of Police,  
Thirumullaivoil Police Station,  
Chennai 600 062.

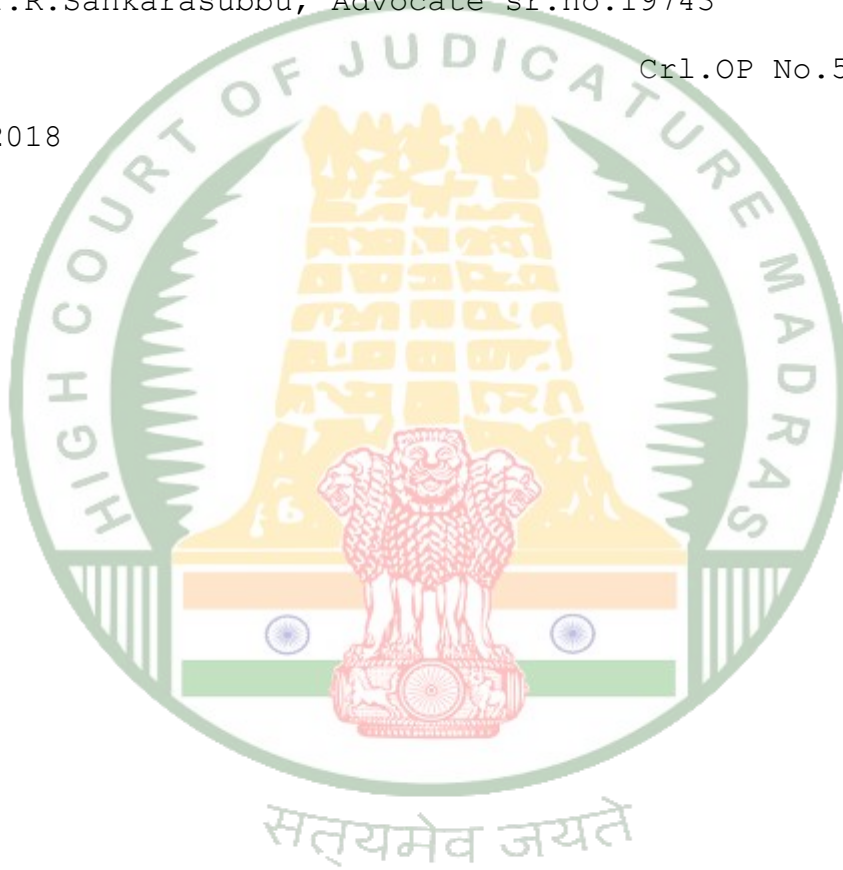
3.The Inspector of Police  
Tank Factory Police Station,  
Avadi, Chennai.

4. The Public Prosecutor,  
High Court, Madras.

+lcc to Mr.R.Sankarasubbu, Advocate sr.no.19743

Cr1.OP No.5386 of 2018

nr 03/04/2018



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