

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.02.2019

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.Nos.23617 and 23618 of 2013

1.Tmt.E.Santha ... Petitioner in Crl.O.P.No.23617 of 2013

2.Tmt.G.Rukmani ... Petitioner in Crl.O.P.No.23618 of 2013

Vs.

1.The State, represented by
The Commissioner of Police,
Egmore,
Chennai - 600 008.

2.P.Rajasekaran,
The Inspector of Police,
H.5, New Washermenpet Police Station,
Chennai - 600 081. ... Respondents in both Crl.O.P.Nos.

PRAYER in Crl.O.P.No.23617 of 2013: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, directing the first respondent herein to consider the representation of the petitioner dated 08.08.2013 and to give police protection to live in the petitioner's residence with her family members, besides taking action against the Police Inspector Thiru.P.Rajasekaran, the second respondent herein and five other Police Constables in accordance with law.

PRAYER in Crl.O.P.No.23618 of 2013: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, directing the first respondent herein to consider the representation of the petitioner dated 10.08.2013 and to give police protection to the petitioner and her minor daughters to live peacefully in the petitioner's house, besides taking action against the Police Inspector Thiru.P.Rajasekaran, the second respondent herein and five other Police Constables in accordance with law.

For Petitioner : Mr.K.Selvakumar
(in both Crl.O.P.Nos.)

For R1 : Mr.G.Hari Hara Arun Soma Sankar
(in both Crl.O.P.Nos.) Government Advocate [Crl. Side]

For R2 : No appearance
(in both Crl.O.P.Nos.)

COMMON ORDER

These Criminal Original Petitions are filed seeking direction to the first respondent to give police protection.

2.The Crl.O.P.No.23617 of 2013 and Crl.O.P.No.23618 of 2013 are grand mother and mother of one Rajasekar, who is involved in several cases. The said Rajasekar is involved in Cr.No.1153 of 2012 on the file of N1 Royapuram Police Station for the offence under Section 302 of the Indian Penal Code and Cr.No.1730 of 2012 on the file of C3 Muthialpet Police Station for the offence under Section 392 of the Indian Penal Code and is absconding for the past two years.

3.The Deputy Commissioner of Police, Washermenpet issued a Memorandum vide Rc.No.59/DC.Wpt/Camp/Memo/2013 dated 02.08.2013 with a list of rowdy elements involved in various cases including murder cases, who are active in Washermenpet and Thiruvotriyur range and instructed the Assistant Commissioner of Police PEW (N), I/c of Thiruvotriyur range, Inspectors of H-5, New Washermenpet (L & O) and H-8 Thiruvotriyur (L & O) to secure them to maintain law and order.

4.In pursuant to the above said order, the Special Sub Inspector of Police Mr.Karunamurthy, Mr.Karpagamani, Mrs.Vanitha Devi, Sub Inspector of Police, HC 12052 Mr.Koteeswaran, HC 20980 Mr.Srinivasan and PC 20735 Mr.Vijay went to the above address of the petitioners in search of the said Rajasekaran and to the places, where he normally visits. The petitioners are being grand mother and mother of the said Rajasekaran, whose places the said Rajasekaran used to visit apprehends arrest at the hands of the police. In the course of investigation, they have visited and also made enquiries to find out the whereabouts of the said Rajasekaran.

5.Further, the learned Government Advocate [Criminal Side] had filed counter affidavit stating that apart from these two cases, the said Rajasekaran is involved in several other cases of grievance nature. The said Rajasekaran is also a history sheeter rowdy and he is a wanted accused in many other cases. The respondent had only carried out the official duty and they have not caused any harassment to the petitioners. The representation given by the petitioners to the first respondent have been properly enquired and disposed of. In view of the above, nothing survives for adjudication in these matters.

6.Hence, the Criminal Original Petitions are dismissed.

-s/d-
Assistant Registrar (CS-IV)

True Copy

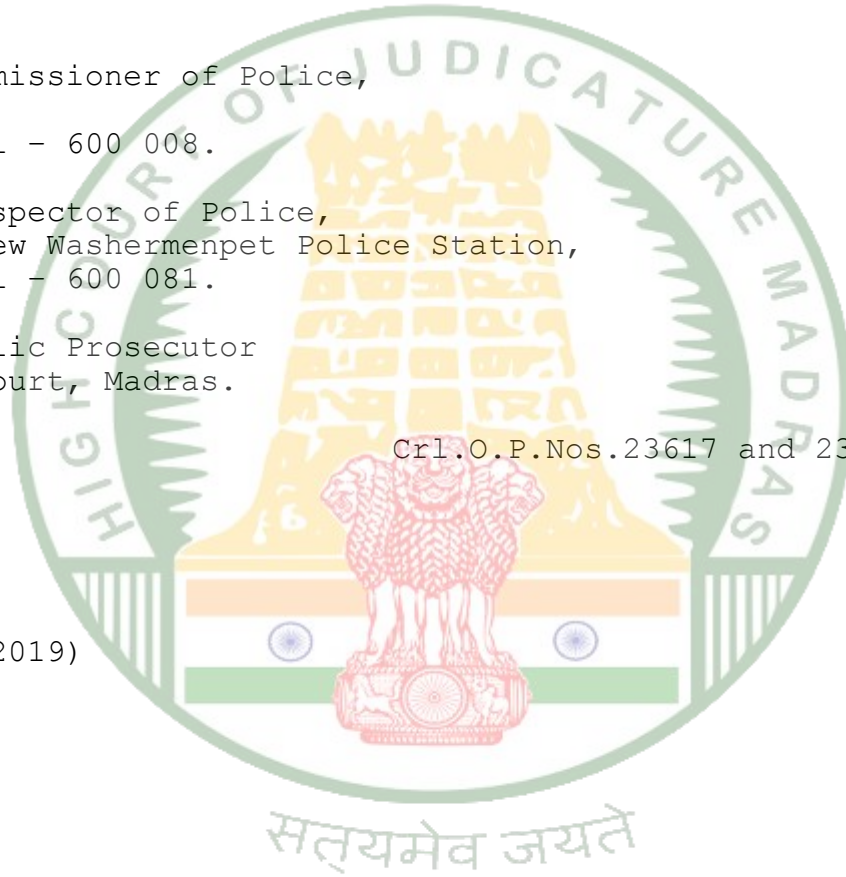
Sub-Assistant Registrar

ah
To

- 1.The Commissioner of Police,
Egmore,
Chennai - 600 008.
2. The Inspector of Police,
H.5, New Washermenpet Police Station,
Chennai - 600 081.
- 3.The Public Prosecutor
High Court, Madras.

Crl.O.P.Nos.23617 and 23618 of 2013

SSV(CO)
SP(27/03/2019)



WEB COPY