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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.07.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.No.19973 of 2020

K.Devamani

.. Petitioner

Vs

- 1 The Union of India
rep by the Home Secretary to Govt. of Puducherry
Chief Secretariat, Goubert Avenue
Pondichery - 605001.
- 2 The Director General of Police
Police Department
Pondicherry - 605 001.
- 3 The Senior Superintendent of Police
Police Department
Karaikal.
- 4 The District Collector
Karaikal.
- 5 The Station House Officer
Neravy Police Station, Karaikal.
- 6 Veeravallaban
- 7 M.Selvaraj .. Respondents
(R7 impleaded vide order dated
20.1.2021 made in WMP.No.1007/2021)

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the first and second respondents to dispose of the petitioner's representation dated 18.10.2020 and pass necessary orders with regard to the complaint raised against the act of 6th respondent releasing the accused without registering FIR who was secured by the Neravy police for carrying commercial quantity of cannabis.



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For Petitioner : Mr.R.Sreedhar

For Respondents : Mr.Bhaktha Chakravarthy
P.P (Puducherry)
for respondents 1 to 5

ORDER

(Order of the Court was made by the Hon'ble Chief Justice)

A counter-affidavit has been filed by the third respondent and a counter-affidavit has also been filed by the sixth respondent.

2. The matter pertains to the alleged illegal release of a person in possession of drugs.

3. According to the petitioner, the seventh respondent was apprehended by Puducherry police and was found to be in possession of a huge quantity of cannabis, but the sixth respondent interfered and ensured that the added seventh respondent was allowed to go scot-free.

4. The affidavit of the third respondent reveals that such respondent conducted an inquiry. As to what the third respondent discovered in course of the inquiry has been detailed in the counter-affidavit. According to the third respondent, the CCTV footages available at Neravy police station, Karaikal, on August 26 and 27, 2020 were not available since the data is preserved for ten days only.

5. Paragraph 10 of the counter-affidavit of the third respondent indicates that there are 42 cases pending against the present petitioner and elsewhere the affidavit refers to the present petitioner having been arrested on several occasions. However, the third respondent, in course of the inquiry, discovered certain anomalies and steps have been taken against a Sub Inspector and he has been suspended.

6. In view of the action taken by the relevant authorities pursuant to the receipt of the petition and considering the unenviable record of the present petitioner, no further action need be taken on the petition.

7. It is, however, hoped that whatever was found remiss in course of the inquiry will be remedied as expeditiously as possible.

8. W.P.No.19973 of 2020 is disposed of. There will be no



order as to costs. Consequently, W.M.P.Nos.24653 of 2020 and 10480 of 2021 are closed.

Sd/-

Assistant Registrar(CS VI)

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Sub Assistant Registrar

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To

- 1 The Home Secretary to Govt. of Puducherry
Union of India
Chief Secretariat, Goubert Avenue
Pondicherry - 605001.
- 2 The Director General of Police
Police Department
Pondicherry - 605 001.
- 3 The Senior Superintendent of Police
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Karaikal.
- 4 The District Collector
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- 5 The Station House Officer
Neravy Police Station, Karaikal.

W.P.No.19973 of 2020

SR II(CO)
B.VC(05.08.2021)