



W.P.No.30811 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.11.2022

CORAM:

THE HONOURABLE MS JUSTICE R.N.MANJULA

W.P.No.30811 of 2022 and
WMP No.30238 of 2022

Palanisamy @ Nattamai Shanmugam

... Petitioner

Vs.

The State by

1. The Deputy Superintendent of Police,
Salem District.

2. The Inspector of Police,
Kitchipayalam Police Station,
Salem District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, seeking to issue a Writ of Mandamus, directing the respondent not to harass the petitioner.

For Petitioner : Mr.S.Bharanidharan

For Respondents : Mr.S.Santhosh
Government Advocate (Crl.side)

ORDER

The Writ Petition has been filed to direct the respondents not to harass the petitioner.



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2. The learned counsel for the petitioner submitted that the petitioner is the accused No.30 in Crime No.1182 of 2020 on the file of the Kitchipalayam Police station for the offences under Sections 147, 148, 341, 302, 427 of I.P.C., and Section 3 of the Tamilnadu Public Property (Prevention of Damage & Loss) Act, 1992 and subsequently altered the offences under sections 427, 419 r/w. Sections 34, 109, 120 b, 147, 148, 149, 341, 302 of IPC r/w. 3(1) of TNPPDL Act and under Section 3 (2) (5) of Scheduled caste and Schedule Tribe Prevention and Atrocities Act; in the said case he was enlarged on conditional bail by virtue of the order of this Court dated 03.02.2022 wherein the condition has been imposed that the appellant/petitioner herein should stay at Coimbatore and report before the Inspector of Police, Race Course Police Station at 10.30 am and 5.30 pm until further orders; subsequently, the petitioner has filed a petition to relax the condition imposed to stay at Coimbatore The said condition was relaxed on 13.04.2022.



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3. The grievance of the petitioner is that even thereafter, he was not allowed to enter into the 1st respondent Police Station and he is being harassed by the respondent Police.

4. The learned Government Advocate (Crl. Side) submitted that since the condition has been relaxed on 13.04.2022, the petitioner is entitled to stay at his house at Salem.

5. It is learnt that the 2nd respondent Police had only warned the petitioner that there is a life threat to him at Salem. However, if the petitioner opts to stay at Salem at his house, nothing would prevent him from exercising his right to reside there.

6. With these observations, this Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

18.11.2022

Index:yes/No
Speaking order / Non speaking order
vum

3/4



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R.N.MANJULA,J.

vum

To

1. The Deputy Superintendent of Police,
Salem District.
2. The Inspector of Police,
Kitchipayalam Police Station,
Salem District.
3. The Public Prosecutor,
Madras High Court,
Chennai.

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