



W.P.No.16763 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated:27.06.2024

Coram:

THE HONOURABLE DR. JUSTICE G. JAYACHANDRAN

Writ Petition No.16763 of 2024

A.Rajeshwari

.. Petitioner

/versus/

1.The District Collector,
Collectorate,
Salem & District.

2.The Superintendent of Police,
District Police Head Quarters,
Salem District.

3.The Inspector of Police,
Karipatti Police Station,
Salem & District.

4.Tmt.Vennila

.. Respondents

Writ Petition has been filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to forbear the 2nd and 3rd respondents including the unknown police personnel from disturbing the petitioner's family life residing at No.7/41, Velliyampatti, Pallakkadu, Kullampatti Post, Ayodhyapattina, Via, Salem Taluk, Salem District.



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For Petitioner :Mr.P.Vijendran

For Respondents :Mr.S.Udaya Kumar
Govt.Advocate (Crl.Side)for R1 to R3

ORDER

The petitioner herein, who is suspected to be one of the named accused in Crime No.333 of 2023, dated 24.11.2023 is before this Court seeking a Writ of Mandamus to forbear the 2nd and 3rd respondents and other unknown police personnel from disturbing her peaceful family life.

2.The learned counsel appearing for the petitioner submitted that one Anand @ Anand Babu, a rowdy element was done to death on 05.02.2023 and case was registered in Crime No.35 of 2022 and same is pending in which the husband of the petitioner is one of the suspect. While so, to harass and torture the petitioner for the involvement of her husband in a murder case, the respondents police and others are frequently disturbing her peaceful living and therefore, she has to be protected from illegal harassment by the police.



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3.The learned Government Advocate (Crl.Side) appearing for the respondents 1 to 3 submitted that a gang rivalry between the two rowdy groups has led to murder of one Anand @ Anand Babu, in which Anbalagan, who is the husband of the petitioner herein, is one of the accused. Subsequently, there was a preparation to commit dacoity to meet out the legal expenses to face the trial in the murder case of Anand @ Anand Babu. First Information Report has been registered in Crime No.333 of 2023 on 24.11.2023. In the said case, this petitioner is one of the named accused. The petitioner and her husband has come to the notice of the police for those notorious activity. It is incorrect to state that the petitioner's family has been disturbed unnecessarily. Infact the children of the petitioner are well placed and getting education in a public school at Kothagiri.

4. The present petition is filed only to screen themselves from being investigated in respect of the case in Crime No.333 of 2023 pending investigation for the offence under Section 399 IPC and 25(1A) of Arms Act, 1959.



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5. The records reveals that the petitioner herein is a suspect in the case pending in Karipatty Police Station. The husband of the petitioner is a suspect in a murder case and infact, he had been detained under Act 14 of 1982 and detention order was quashed at the intervention of this Court in H.C.P.No.990 of 2023. The representations sent to the respondents seeking police protection and the affidavit filed in this writ petition does not disclose any specific incident for suspecting the police as alleged. Therefore, this Court finds no merit in this petition to entertain.

6. Accordingly, this Writ Petition is dismissed. No costs.

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Index:yes/no
Speaking order:yes/no
Neutral Citation:yes/no
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To:

- 1.The District Collector, Collectorate, Salem & District.
- 2.The Superintendent of Police, District Police Head Quarters, Salem District.
- 3.The Inspector of Police, Karipatti Police Station, Salem & District.
- 4.The Public Prosecutor, High Court, Madras.



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DR.G.JAYACHANDRAN,J.

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