



W.P.(MD). No. 21419 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 05.12.2024

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THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD). No. 21419 of 2023

Santhana Raj @ Sandal Raj

... Petitioner

Vs.

1. The Director General of Police,
O/o. The Director General of Police,
Chennai.

2. The Superintendent of Police,
O/o. The Superintendent of Police,
Thoothukudi District.

3. The Inspector of Police,
O/o. The Inspector of Police,
Thoothukudi South,
Thoothukudi.

4. The Inspector of Police,
O/o. The Inspector of Police,
Thazhamuthunagar,
Thoothukudi.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the



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respondents 1 and 2 to take appropriate action against the respondent no. 3 and 4 and protect the life and limb of the petitioner by considering the petitioner's representation dated on 17.08.2023.

For Petitioner : Mr.S.Mohamed Ali Jinnah

For Respondents : Mr.A.Albert James,
Government Advocate
(Crl. Side)

ORDER

This writ petition has been filed for the issue of writ of mandamus directing the 1st and 2nd respondents to take action against the 3rd and 4th respondents and to give police protection to the petitioner based on the representation made by the petitioner on 17.08.2023.

2. The counter has been filed by the 2nd respondent. The relevant portions are extracted hereunder:

“4. I respectfully submit that I have called for the report from the 3rd and 4th respondents with regard to the writ petition filed by the petitioner and on perusal of the same it came to understand that the petitioner herein is a notorious offender and he has been involved in many criminal cases including two murder cases.



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5. It is humbly submitted that the antecedent of the

WEB COPY petitioner is listed below:

Sl No.	Name of the Police Station	Crime No.	Offence U/S	Stage
1	Thoothukudi South PS	1153/1998	341,506(ii) IPC	-
2	Thoothukudi South PS	921/1998	147, 148, 506(ii) of IPC & 3,4,5 of E.S.Act	-
3	Thoothukudi South PS	148/1999	341, 307, 506(ii) of IPC	-
4	Tuty Central PS	294/2003	120(b), 341, 147, 148, 201, 302, 506(ii) of IPC	PT
5	Thoothukudi South PS	570/2003	224, 341, 294(b), 323, 506(ii) of IPC	-
6	Thoothukudi South PS	119/2020	147, 148, 294(b), 307, 506(ii) IPC	NTF
7	Thoothukudi South PS	219/2011	294(b), 307, 384, 506(ii) IPC	DIS
8	Thoothukudi South PS	586/2011	7(1)(a) CLAAct & 294(b), 341, 506(ii) IPC	DIS
9	Thoothukudi South PS	872/2011	171(H), 188, 341 IPC	LF
10	Tuty Central PS	151/2014	294(b), 341, 387, 506(ii) IPC	PT
11	Thoothukudi South PS	547/2014	406, 420, 294(b), 506(ii) IPC	AD
12	Thoothukudi South PS	659/2014	399 IPC	NTF



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13	Thoothukudi South PS	54/2015	341, 294(b), 387, 506(ii) IPC	NTF
14	Thoothukudi South PS	362/2016	107 Cr.P.C.	LF
15	Thoothukudi South PS	941/2016	107 Cr.P.C.	LF
16	Thoothukudi South PS	620/2019	341, 294(b), 506(ii) IPC	NTF
17	Muthaiahpuram PS	18/2015	294(b), 307, 341, 506(ii) IPC	PT
18	Thoothukudi North PS	610/2020	341, 294(b), 387, 506(ii) IPC	DIS
19	Thalamuthunagar PS	4/2021	363, 302 IPC	PT
20	Thoothukudi South PS	330/2023	294(b), 353, 307, 506(ii) IPC	UI

6. I respectfully submit that since the petitioner is a habitual offender indulging in rowdy activities, in order to curb his unlawful activities History Sheeted Rowdy Book was opened in Thoothukudi South Police Station in H.S.No. 246/2008 and the same is being extended regularly as per the Police Standing Order. It is also came to understand that on 02.08.2023 while the Sub-Inspector of Police of the 3rd respondent police station Mr.Mukilarasan along with police constables went to the petitioner's house for



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inspecting house, the petitioner armed with Aruval scolded the police officials with filthy language and tried to attack Mr.Mukilarasan with Aruval but he was narrowly escaped from the said attack. While so, the associate of the petitioner namely one Selvam also armed with Aruval scolded and threatened the police officials and unlawfully restrained the police officials from discharging their official duty. Hence, based on the complaint lodged by Mr.Mukilarasan, Sub Inspector of Police, the FIR in Crime No.330 of 2023 was registered against the petitioner and his associate Selvam for the offence U/s 294(b), 353, 307 and 506(ii) of IPC.

7. I respectfully submit that by considering, he was remanded to Central Prison, Cuddalore as per the circular by the Prison Authorities of Palayamkottai, this petitioner was sent to Cuddalore Prison and only based on the Prison Authorities decision no other reasons as alleged by the petitioner. The allegation of the petitioner that he was unnecessary taken to Cuddalore Central Prison instead of



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Palayamkottai Central Prison and the respondents 3 and 4 were planned to encounter the petitioner is nothing but a concocted story. Further all the allegations raised in the affidavit against the police officials are false, vague without any basis and iota of truth. Moreover, the petitioner is not an innocent and he is notorious criminal. Furthermore, the allegation of the petitioner that the 3rd and 4th respondents were registered false case against the petitioner due to political animosity is utter false and all the cases had been registered based on the complaint lodged by the respective complainant for the occurrence took place and the officials have been acted in accordance with law. Only in order to make out the case for filing the above writ petition, the petitioner aired vexatious and derogatory averments against the police personnel without any iota of truth and mislead this Hon'ble Court.

8. I respectfully submit that the representation sent by the petitioner was received by this respondent office only on 23.08.2023 and the same was considered in accordance



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with law. Since there was no truth in the representation of the petitioner and the respondents 3 and 4 have no any personal enmity and they have been carrying out their duty only in accordance with law there is no necessity to take any action against them.

For the reasons stated above, it is humbly prayed that this Hon'ble Court may be pleased to accept this counter affidavit in writ petition in W.P.(MD).No.21419 of 2023 and dismiss the prayer of the petitioner and pass such as this Hon'ble Court may deem to fit and proper in the circumstances of this and thus render justice.”

3. Recording the above stand taken by the respondent, this writ petition is disposed of. No costs.

05.12.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

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To

1. The Director General of Police,
O/o. The Director General of Police,
Chennai.
2. The Superintendent of Police,
O/o. The Superintendent of Police,
Thoothukudi District.
3. The Inspector of Police,
O/o. The Inspector of Police,
Thoothukudi South,
Thoothukudi.
4. The Inspector of Police,
O/o. The Inspector of Police,
Thazhamuthunagar,
Thoothukudi.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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N.ANAND VENKATESH,J.

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Order made in
W.P.(MD). No. 21419 of 2023

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