



WEB COPY



W.P.No.7492 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.02.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.7492 of 2023

B.Indira

..... Petitioner

Vs

1.The Home Secretary,
Government of Tamil Nadu,
St.George Fort,
Chennai – 600 009.

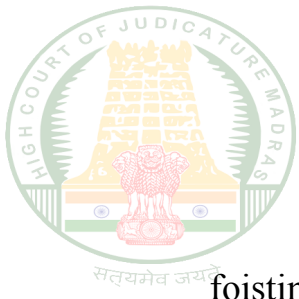
2.The District Collector,
Tiruvannamalai District,
Tiruvannamalai.

3.The Superintendent of Police,
Tiruvannamalai District,
Tiruvannamalai.

4.The Inspector of Police,
Arani Police Station,
Tiruvannamalai District.

..... Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India, praying for issuance of Writ of Mandamus, directing the respondent to hold enquiry into the atrocities and torture inflicted



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foisting false case may be enquired into under 151 Police Standing Orders by appointing the District Judge by considering the petitioner representation dated 02.02.2023 in accordance with law to secure ends of justice.

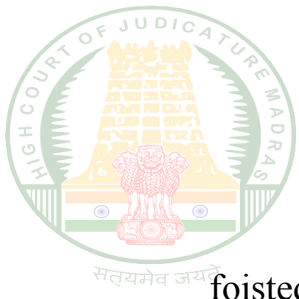
For Petitioner : Mr.R.Sankarasubbu
For R1 & R2 : Mr.P.Balathandayutham
Special Government Pleader
For R3 & R4 : Mr.K.M.D.Muhilan
Government Advocate (Crl.Side)

ORDER

This Writ Petition has been filed seeking a direction to the respondent to hold the enquiry on the representation submitted by the petitioner under Sections 151 and 152 of Police Standing Order by appointing the District Judge.

2. Heard the learned counsel appearing on either side and perused the materials available on record.

3. The case of the prosecution is that the petitioner belongs to the Adi Dravidar Community and her husband served as the Tiruvannamalai North District Secretary of Viduthalai Chiruthaigal Party. Though her husband has not been involved in any criminal case, a false case has been



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foisted as against him. Repeatedly, false cases have been foisted as against him and as such, the petitioner submitted a representation to enquire the same under Sections 151 and 152 of the Police Standing Order.

4. A perusal of the status report filed by the Government Advocate (Crl.Side) and the submission made by the learned Special Government Pleader reveals that the petitioner's husband is a history sheeter. So far, more than 20 cases have been registered as against him. One such FIR was registered in Crime No.11 of 2023 on the file of the Inspector of Police, Arni Town Police Station, for the offences under Sections 147, 387, 294(b), 506(i), 120(B) of IPC r/w. Section 3(1) of TNPPDL Act. Pursuant to the registration of the FIR, he was summoned for enquiry. During the enquiry, her husband, along with other accused persons, threatened the defacto complainant and his vendors. He also behaved unruly, prevented the Enquiry Officer from discharging his official duty and also subjected him with dire consequences. As a result, another FIR has been registered in Crime No.12 of 2023 for the offences



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under Sections 353 and 506(i) of IPC. Pursuant to the same, he was arrested and remanded to judicial custody on 08.01.2023. After his arrest, he instigated his party members to assemble unlawfully and demanded his release and caused hindrance to the general public. As such, a case has been registered in Crime No.15 of 2023 as against one Ramesh and 15 others for the offences under Section 143, 188 and 342 of IPC. The petitioner's husband is a habitual offender and also a history sheeter in H.S.No.450 of 2007. The following cases have been registered as against the petitioner's husband :

Sl.No	Police Station	Crime Number	Offences under Section	Stage of the case
1	Arni Town Police Station	Cr.No.1186 of 2009	U.s,147, 148, 341, 353, 294(b), 188 of IPC	Pending Trial
2	Arni Town Police Station	Cr.No.865 of 2009	U/s.147, 148, 427, 380 of IPC	Pending Trial
3	Arni Town Police Station	Cr.No.02 of 2011	U/s.147, 148, 294(b), 324, 448, 427, 506(ii) of IPC	Not taken on file
4	Arni Taluk Police Station	Cr.No.965 of 2010	U/s.147, 148, 294(b), 323, 307 of IPC	Not taken on file
5	Arni Town Police Station	Cr.No.11 of 2023	U/s.147, 387, 294(b), 506(i) r/w.3(1) of PPDL Act.	Under Investigation



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Sl.No	Police Station	Crime Number	Offences under Section	Stage of the case
6	Arni Town Police Station	Cr.No.12 of 2023	U/s.353, 506(ii) of IPC	Not taken on file
7	Arni Town Police Station	Cr.No.83 of 2023	U/s.147, 153(A)(1)(a), 341, 294(b), 353, 505(1)(a), 506(i) & 506 of IPC r/w.4 of TNWH Act	Under Investigation
8	Arni Town Police Station	Cr.No.84 of 2023	U/s.147, 148, 341, 353, 307, 506(ii) of IPC	Not taken on file

5. Therefore, in order to escape from the clutches of law, the petitioner, being the wife of the said history sheeter, submitted a representation for enquiry.

6. In view of the above, no false case has been foisted as against the petitioner's husband. Therefore, the representation submitted by the petitioner for enquiry cannot be considered. Thus, the writ petition lacks merits and is liable to be dismissed. Accordingly, this Writ Petition stands dismissed. No costs.

07.02.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
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Tiruvannamalai.

3.The Superintendent of Police,
Tiruvannamalai District,
Tiruvannamalai.

4.The Inspector of Police,
Arani Police Station,
Tiruvannamalai District.

5. The Public Prosecutor,
High Court of Madras,
Chennai.



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G.K.ILANTHIRAIYAN, J.

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