



WEB COPY

WP No. 12046 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-03-2026

CORAM

THE HON'BLE DR JUSTICE G. JAYACHANDRAN

AND

THE HON'BLE MR.JUSTICE SHAMIM AHMED

WP No. 12046 of 2021

and

WMP No. 12819 of 2021

N.Shanmugalakshmi
Inspector of Police,
Alli Nagaram Police Station,
Theni District.

..Petitioner

Vs

1. The Secretary
Home Department,
Government of Tamil Nadu,
St. George Fort,
Chennai -09.
2. The Registrar,
The State Human Rights Commission of Tamil
Nadu, Thiruvaramangam,
No.143, P.S.Kumarasamy Raja Salai,
Greenways Road, Chennai 28.
3. Dr. A. Rohini

..Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorari, to call for the records relating to the respondent SHRC No.5245 of 2018 by order dated 05/03/2021 passed by the State Human Rights Commission at Madras and to quash the same.

For Petitioner:

Mr.D.Alexis Sudhakar



For Respondent(s):

Mr.V.Ravi ,
Special Government Pleader For R1
Mr. T.C. Gopalakrishnan For R2
M/s. R. Sreerangan For R3

ORDER

(Order of the Court was made by Dr.G.Jayachandran J.)

This Writ Petition has been filed challenging the recommendations of the State Human Rights Commission passed on a complaint given by one Rohini.

2. The sum and substance of the complaint is that the complainant, a former MLA and a retired college professor, was summoned by the writ petitioner, who was then working as Sub-Inspector of Police at Alli Nagaram Police Station, for enquiry in connection with a complaint received against her and registered in Crime No.159 of 2018, based on a complaint given by the daughter-in-law of the complainant.

3. The allegations against the writ petitioner is that the case was a case and counter-case and that, except for the offence under Section 506(ii) of the IPC, the other offences were bailable in nature. While so, it is alleged that the complainant was badly treated by the writ petitioner and she was shown as arrested and later released on bail. Alleging that the said act amounted to violation of human rights, the complaint was filed before the State Human Rights Commission.



4. The State Human Rights Commission, after taking the complaint on file, examined two witnesses on behalf of the complainant, including the complainant herself and also marked the medical certificate as Ex.P1. The medical certificate indicates that she had sustained simple injury when she was pushed down on the floor.

5. The State Human Rights Commission, after examining the evidence of the complainant (PW.1) and the wound certificate (Ex.P1), arrived at a conclusive finding that the writ petitioner has not beaten the complainant. Accordingly, the Commission held that the allegation of the complainant was pushed down by the writ petitioner in the police station was not proved and that the allegation was exaggerated. However, for the act of arrest for the alleged offences which were bailable in nature except offence under Section 506(ii) of the IPC, the Commission recorded that the arrest was in violation of the guidelines laid down in the case of **D.K.Basu** case. On that basis, the Commission rendered the following recommendation:

“The Government of Tamil Nadu shall pay a compensation of Rs.25,000/- to the complainant Dr.R.Rohini, Ex.MLA Kilathur, residing at No.11-2/11E, 7th Street, EB Colony, Nilakottai,, Dindigul District, within one month from the date of receipt of a copy of this recommendation and the Government of Tamil Nadu may recover the same from the respondent as per the Rules.”



6. The said recommendation is under challenge on the ground that the writ petitioner had discharged her duties in accordance with law. It is contended that upon *prima facie* finding that the complaint as well as the counter-case disclosed a physical altercation between the parties and intimidation, the writ petitioner had arrested the complainant, but granted station bail, which is permissible under law. Therefore, there was no violation of any legal provision and there cannot be a presumption of violation of human rights.

7. This Court is fully agrees with the above submissions. The records reveal that there was no physical assault or any violation of legal principles laid down either by statute or by judicial pronouncements.

8. In such circumstances, this Writ Petition stands allowed. The order of the State Human Rights Commission is hereby quashed. Consequently, the connected Miscellaneous Petition is closed. No costs.

(G.J.,J.) (S.S.A.,J.)
11-03-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

rpl



To

1. The Secretary
Home Department,
Government of Tamil Nadu,
St. George Fort, Chennai -09.

2. The Registrar,
The State Human Rights Commission,
Thiruvarangam, No.143, P.S.Kumarasamy Raja Salai,
Greenways Road, Chennai 28.



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