WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-10-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

WP Crl. No. 2826 of 2026

CNR: {HCMA012566932026}

Renu
W/o Thsrmalingam,
2/91, Pudhunagar,
Ammanankuppam,
Villupuram District.

..Petitioner(s)

Vs

1. The State of Tamil Nadu Rep by
   The Director General of Police (DGP),
   Dr. Radhakrishnan Salai,
   Mylapore,
   Chennai District.

2. The Superintendent of Police
   Villupuram District,
   Villupuram.

3. The Deputy Superintendent of Police
   Vikravandi Sub Division,
   Villupuram District.

4. The Inspector of Police
   Kandamangalam Police Station,
   Villupuram District.

..Respondent(s)

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a direction to the Respondents to take appropriate action in accordance with law against the persons involved in the alleged the erring police officials and rogue elements for illegal trespass, extortion and assault, retrieve the looted cash and gold jewellery, and afford adequate police

https://www.mhc.tn.gov.in/judis

WEB COPY

protection to the petitioner and his family members and consider the petitioner's representation dated 16-9-2026 within a time frame to be stipulated by this Hon'ble Court.

For Petitioner(s): Mr.M.Rajkumar
for Mr.Nambiselvan B

For Respondent(s): Mr.S.Yogaraja Sekar
Counsel for Government of Tamilnadu (Crl. Side)

ORDER

This is a petition under Article 226 of the Constitution of India for a writ of mandamus directing the respondents to take action against persons described in the prayer as erring police officials and rogue elements for trespass, extortion and assault said to have been committed at the petitioner's house at Ammanankuppam, Villupuram District, to retrieve cash and gold jewellery said to have been taken away, to afford police protection to the petitioner and her family, and to consider her representation dated 16.09.2026.

2. The petitioner's case, as set out in the affidavit, is this. She is a daily-wage agricultural labourer aged about seventy. Her husband is bedridden and undergoes dialysis. On 16.09.2026 at about 10.00 a.m., a group of six persons, whom the affidavit names as SI Thirumurugan, Parthasarathy, Aiyanar, Kalaiselvan and Rangarajan and one other, entered her house with crowbars and sticks, pinned down and assaulted her husband, snatched her seven-sovereign thali chain, broke open the bureau and took Rs.2,00,000/- kept for medical

https://www.mhc.tn.gov.in/judis

WEB COPY

expenses, took away three two-wheelers belonging to relatives parked outside, and demanded Rs.10,00,000/- under threat of foisting false cases on the family. She gave a complaint to the Kandamangalam police the same day and sent representations to higher authorities. No first information report was registered and no protection was given. The affidavit relies on **Lalita Kumari v. Government of Uttar Pradesh, (2014) 2 SCC 1**, and states that this is the first petition filed by her for this relief. The representation dated 16.09.2026 in the typed set is addressed to the Inspector of Police, Kandamangalam Police Station, and the postal receipt filed with it shows a speed-post article booked on 15.10.2026.

3. The learned Government Advocate (Criminal Side) produced the records of the Kandamangalam and Villianur Police Stations. They disclose the following. On 12.09.2026 the Villianur Police Station, Puducherry, registered Crime No. 388 of 2026 for an offence under Section 318(4) of the BNS on the complaint of one Raju of Thoothukudi, who stated that on 30.08.2026 a gang had induced him to part with Rs.20,00,000/- near Thondamanatham, Villianur, on the representation that they had unearthed a treasure of gold, and had handed him a pot of counterfeit gold coins. The first information report was registered by the Sub-Inspector of Police of that station, whose name is Thirumurugan. On 18.09.2026 one Suresh of Cuddalore was arrested in that crime. His statement recorded by the Villianur police names, as the persons who ran the scheme,

https://www.mhc.tn.gov.in/judis

WEB COPY

Dharmalingam son of Arumugam of Periya Ammanankuppam, Kandamangalam, his wife Renuka, his daughter, his son, his son-in-law and others of the same village, and states that on the day of his arrest the Villianur police seized two two-wheelers from the house of Dharmalingam and one from the house of another accused under seizure mahazars on his identification. The records also contain the history sheet of Dharmalingam son of Arumugam of Ammanankuppam, HS No. 245 of 2007 of the Kandamangalam Police Station, listing sixteen cases from 2006 onwards, the majority for offences under Sections 420 and 397 of the Indian Penal Code, the latest being Chengam Police Station Crime No. 474 of 2024 under Section 318(4) of the BNS. The fourth respondent has placed on record the intimation sent by the Kandamangalam police to Dharmalingam. It states that his complaint received by post was enquired into as Petition No. 1295 of 2026, that the enquiry disclosed the registration of Villianur Crime No. 388 of 2026 and the search for the accused in it, including himself, that the complaint was found to have been exaggerated in order to escape that case, and that further action on it was dropped.

4. Learned counsel for the petitioner submitted that the petitioner is an aged woman whose house was entered by force and whose property was taken, that a complaint disclosing cognizable offences was given to the fourth respondent on 16.09.2026 and that the fourth respondent was bound to register a case on it under the law declared in **Lalita Kumari** (cited supra), and that the

https://www.mhc.tn.gov.in/judis

WEB COPY

identity or office of the persons who entered the house is no answer to that duty. The learned Government Advocate submitted that the persons who went to the house were the Villianur police, acting in a registered crime in which the petitioner and her husband are named as accused, that the two-wheelers were seized under mahazars in that crime, that the Kandamangalam police enquired into the complaint and closed it after informing the complainant, and that the petition suppresses every one of these facts.

5. I have considered the rival submissions and perused the material placed before me.

6. **The first question is whether the petitioner has placed the true facts before this Court**. The affidavit describes the six persons as a group that forcibly trespassed into the house with crowbars and sticks, and the prayer describes them as erring police officials and rogue elements. The affidavit does name one of them as a Sub-Inspector of Police. What it does not say is why a Sub-Inspector of Police came to the house. It does not disclose that a crime had been registered at Villianur twelve days before the date she gives for the incident, that her husband is named in it as the person who ran the scheme and she herself as one of the gang, that the two-wheelers she describes as belonging to relatives were seized under seizure mahazars in that crime, that her husband is a history-sheeter of the fourth respondent's station with sixteen cases against

https://www.mhc.tn.gov.in/judis

WEB COPY

him, or that the Kandamangalam police had enquired into the complaint and closed it with intimation to the complainant. Each of these facts was within the petitioner's knowledge. Each of them bears directly on the relief she seeks, which is an order compelling the Tamil Nadu police to proceed against the officers of another State's police for what was, on the records, a seizure made in the course of an investigation. The affidavit instead states that the respondents failed to act on the complaint, when the fourth respondent had acted on it and had said so in writing.

7. The law on this is settled. The jurisdiction under Article 226 is extraordinary, equitable and discretionary, and a person who invokes it must come with clean hands and place all the material facts before the Court; where a material fact is suppressed or the Court is sought to be misled, the Court may dismiss the petition on that ground alone without entering into the merits, as held in **K.D. Sharma v. Steel Authority of India Ltd., (2008) 12 SCC 481**. A litigant who attempts to pollute the stream of justice is not entitled to any relief, interim or final, as held in **Dalip Singh v. State of Uttar Pradesh, (2010) 2 SCC 114**. This petition falls squarely within that rule. The version pleaded is not a partial account of a true grievance; it is the account of a seizure in a criminal case rewritten as a robbery by strangers, with the one fact that would have explained the visit left out. The petition is liable to be dismissed on this ground, and I dismiss it on this ground.

https://www.mhc.tn.gov.in/judis

WEB COPY

8. Two further matters may be mentioned, though the petition does not turn on them. First, the petitioner's own authority does not assist her. **Lalita Kumari** (cited supra) declares the duty of the police to register a case when information discloses a cognizable offence. It does not convert every complaint against a police officer who executes a seizure into a case that this Court will enforce by mandamus. Whether the fourth respondent was right to deal with the complaint as a petition rather than to register it is a question I do not decide, because the remedy of a person aggrieved by a refusal to register lies before the Superintendent of Police under Section 173(4) of the BNSS and before the jurisdictional Magistrate under Section 175(3) of the BNSS, and a writ petition is not to be entertained in place of those remedies, as held in **Sakiri Vasu v. State of Uttar Pradesh, (2008) 2 SCC 409** and **Sudhir Bhaskarrao Tambe v. Hemant Yashwant Dhage, (2016) 6 SCC 277**, with reference to the corresponding provisions of the Code of Criminal Procedure, 1973. Second, the prayer for police protection is, in substance, a prayer by a person named as an accused to be protected from the police investigating the crime in which she is named. The law provides a remedy for that apprehension, and it is not a writ of mandamus.

9. A petition of this kind consumes the time of the Court that belongs to litigants with genuine grievances, and it is not to be dismissed without costs.

https://www.mhc.tn.gov.in/judis

WEB COPY

10. **In the result, this Writ Petition is dismissed with costs of Rs. 10,000/- (Rupees ten thousand only), payable by the petitioner to the Tamil Nadu State Legal Services Authority, Chennai, within four weeks from the date of receipt of a copy of this order.**

23-10-2026

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

To

1. The Director General of Police (DGP),
   Dr. Radhakrishnan Salai,
   Mylapore,
   Chennai District.

2. The Superintendent of Police
   Villupuram District,
   Villupuram.

3. The Deputy Superintendent of Police
   Vikravandi Sub Division,
   Villupuram District.

4. The Inspector of Police
   Kandamangalam Police Station,
   Villupuram District.

5. The Public Prosecutor,
   High Court of Madras.

https://www.mhc.tn.gov.in/judis

WEB COPY

N.RAMESH, J.

rsi

WP Crl. No. 2826 of 2026

23-10-2026

https://www.mhc.tn.gov.in/judis