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W.P.No.36331 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.06.2026

CORAM:

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

WP.No.36331 of 2024

C.Ve.Shanmugam

... Petitioner

Vs.

1. THE STATE OF TAMIL NADU,
REP. BY THE SECRETARY TO GOVERNMENT,
HOME SECRETARIAT DEPARTMENT, FORT ST GEORGE,
CHENNAI-600 009.

2. THE DIRECTOR GENERAL OF POLICE,
POST BOX NO.601, DR.RADHAKRISHNAN SALAI,
MYLAPORE, CHENNAI-600 004.

3. THE SUPERINTENDENT OF POLICE,
OFFICE OF DISTRICT POLICE OFFICE, VILLUPURAM DISTRICT,
VILLUPURAM-605 602.

4. THE SUPERINTENDENT OF POLICE,
DHARMAPURI DISTRICT, DHARMAPURI-636 704.

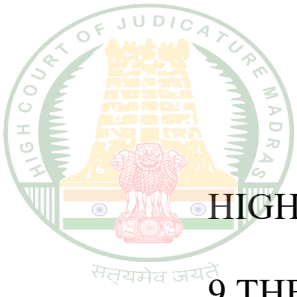
5. THE SUPERINTENDENT OF POLICE,
SUPERINTENDENT OFFICE OF KALLAKURICHI,
KALLAKURICHI DISTRICT-606 202

6. THE DEPUTY COMMISSIONER OF POLICE,
ADYAR DISTRICT, ADYAR, CHENNAI-600 020.

7. THE DEPUTY COMMISSIONER OF POLICE,
T.NAGAR POLICE DISTRICT, T.NAGAR, CHENNAI-600 017

8. THE DEPUTY COMMISSIONER OF POLICE,
KILPAUK POLICE STATION, KILPAUK RANGE, POONAMALLEE

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HIGH ROAD, CHENNAI-10.

9.THE INSPECTOR OF POLICE,
KALLAKURICHI POLICE STATION, KALLAKURICHI.

10.THE INSPECTOR OF POLICE,
E3, TEYNAMPET POLICE STATION, 494, ANNA SALAI,
TEYNAMPET, THIRU VI KA KUDIYIURPPU, TEYNAMPET,
CHENNAI-600 006.

11.THE INSPECTOR OF POLICE,
G-1, VEPERY POLICE STATION, CHENNAI-600 007.

12.THE INSPECTOR OF POLICE,
TINDIVANAM POLICE STATION, VILLUPURAM DISTRICT.

13.THE INSPECTOR OF POLICE,
DHARMAPURI POLICE STATION, DHARMAPURI.

14.THE INSPECTOR OF POLICE,
E-5 PATTINAPAKKAM POLICE STATION, CHENNAI-28.

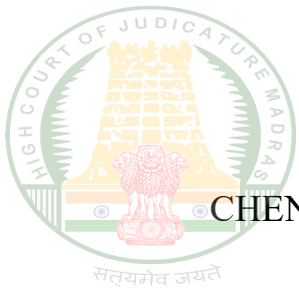
15.THE DEPUTY COMMISSIONER OF POLICE,
E1, MYLAPORE POLICE STATION, MYLAPORE,
CHENNAI-600 004.

16.THE INSPECTOR OF POLICE,
E5, FORESHORE ESTATE POLICE STATION, CHENNAI.

17.THE INSPECTOR OF POLICE,
ROSHANAI POLICE STATION, TINDIVANAM,
VILLUPURAM DISTRICT-604 001.

18.THE DIRECTOR,
CENTRAL BUREAU OF INVESTIGATION, PLOT NO.5-B,
6TH FLOOR, CGO COMPLEX,
LODHI ROAD, NEW DELHI-110 003.

19.THE JOINT DIRECTOR AND HEAD OF ZONE,
CENTRAL BUREAU OF INVESTIGATION, III FLOOR,
E.V.K. SAMPATH BUILDING, COLLEGE ROAD,



CHENNAI-600 006



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... Respondents

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Prayer:

Writ Petition filed under Article 226 of Constitution of India praying to issue a Writ of Mandamus directing the 1st and 2nd respondents for the transfer of investigations pending before respondent Nos.3-17 to respondent Nos.18 and 19 and direct respondent nos.18 and 19 to thoroughly investigate the complaints or pass such other orders so that the complaints given by the petitioner could be properly investigated and action is taken in accordance with law

For Petitioner : Mrs.P.Karthika Kamal
for Mr.E.Balamurugan

For Respondents
For R1 to 17 : Mr.Arun Anbumani,
Government Advocate (Criminal Side)

For R18 & 19 : Mr.K.Srinivasan,
Special Public Prosecutor(CBI)

ORDER

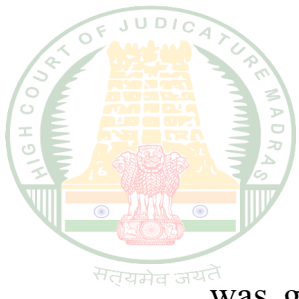
This writ petition has been filed praying to issue a direction to respondents 1 & 2 to transfer the investigations pending on the file of respondents 3 to 17 to the file of respondents 18 & 19 and to take appropriate action on the complaints lodged by the petitioner.

2. The petitioner was a Member of Parliament in Rajya Sabha



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at the time of filing the writ petition and now he is a sitting Member of Legislative Assembly. He is also an organizing secretary of a political party, by name All India Anna Dravida Munnetra Kazhagam. Further, he is holding the post of District Secretary of Villupuram District in the said political party. He served as Minister of various departments including Law and Justice from the year 2001 to 2021. While being so, in the year 2006, a gang of criminal elements who are associated with the political rivals along with henchmen, came in a two wheeler and attacked the petitioner, his two brothers and his brother in law with deadly weapons even in the presence of security at his residence. Fortunately, the petitioner had escaped and one of his brothers was murdered by the accused. Pursuant to the said occurrence, FIR had been registered in crime No.164 of 2006. Though the investigation agency filed final report and the same was taken cognizance in SC.No.103 of 2008 on the file of the Fast Track Court, Villupuram, a petition was filed by the petitioner for further investigation and the same was allowed by this Court in Crl.RC.No.939 of 2009. Thereafter, the investigation agency completed further investigation and filed final report and the same has been taken cognizance by the trial court in SC.No.284 of 2024 and it is pending for trial on the file of I Additional District Court, Tindivanam.



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3. Therefore, the petitioner had severe threats to his life and he

was given police protection when he was not a minister. However, the police protection was withdrawn. Therefore, the petitioner submitted representation on 19.11.2021 to extend the police protection since the petitioner was receiving death threats continuously. It was not considered and as such, the petitioner filed a writ petition before this Court in WP.No.6632 of 2022 and this Court by order dated 28.04.2023 observed that life threat, present and real, exist against the petitioner from his political and personal adversaries. Therefore, the withdrawal of police protection was set aside and direction was given to take appropriate decision in the light of the life threat present to the petitioner. However, police failed to consider the specific direction issued by this Court on the ground that there was no necessity for providing any special security to the petitioner. Further, the petitioner was not facing any specific threat. However, patta passbook is being maintained at his residence and peak police personnel have been given instructions to watch the house of the petitioner and the surrounding areas and to sign in the patta passbook.

4. However, the learned counsels for the respondents submitted that threat assessment reports received from all agencies revealed that the petitioner is not facing any threat to his life. Further, it is revealed that

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except one murder case, there is no major incident which could be seen as a threat to the petitioner.

5. Heard the leaned counsel appearing on either side and perused all the materials placed before this Court.

6. On perusal of records, it is revealed that from the year 2006 onwards, the petitioner lodged nearly 20 complaints till the filing of this writ petition. In some of the complaints, FIR was registered and some of the complaints, after conducting detailed enquiry, were closed. In cases of registration of FIR, final reports were filed and they are pending for trial. Further, on perusal of the counter filed by the second respondent and on the submissions of the learned counsels appearing for the respondents, it is revealed that the complaints lodged by the petitioner are with different set of allegations. Therefore, transfer of all the cases to one investigation agency is not possible. Insofar as the murder case is concerned, trial is pending in SC.No.284 of 2014 on the file of the Additional District Sessions Court, Tindivanam. Further, some of the complaints were enquired and closed. In some of the complaints, FIR was registered and they are pending for trial. Insofar as the complaint lodged by one, Rajaram, it was enquired in CSR.No.541 of 2024, and the same was



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closed. In respect of another complaint lodged by the petitioner dated 18.04.2024, the petitioner was issued CSR.No.564 of 2024 and subsequently it was closed for the reason that the accused was a mentally disabled person. Therefore, the petitioner is facing continuous life threat and he also lodged complaint in pursuance of the same and the contention of the learned counsels for the respondents cannot be countenanced. Patta passbook is being maintained at the house of the petitioner. Further, the murder case of his family member is pending for trial. Therefore, the petitioner made out a *prima facie* case to provide police protection to his life and limb. Now the petitioner is a member of Legislative Assembly and also he is holding various posts in the political party that he is associated with.

7. Considering the above facts and circumstances of the case, this Court is inclined to issue a direction to provide adequate police protection to the petitioner. As such, the second respondent is directed to provide adequate police protection with necessary weapon to the petitioner forthwith. The petitioner is also at liberty to lodge a fresh complaint, if any fresh cause of action arises, before the jurisdictional police and on receipt of the said complaint, the investigation officer is directed to act in accordance with law.



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8. With the above direction, this writ petition is disposed of.

There shall be no order as to costs.

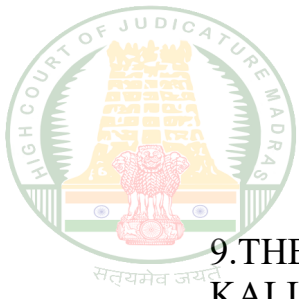
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Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
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20. The Public Prosecutor,
High Court of Madras



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G.K.ILANTHIRAIYAN, J.

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