

reported that about 60 deaths were caused due to the road accident in a month. It is also contended that those helpless people are being sexually harassed.

3. Mr. P. Kandassamy, learned Government Advocate (CrI. Side) would submit that respondents Police will help the Trust to identify and rescue the mentally ill people, otherwise they will face problems in the society and there is every likelihood of losing their lives in the road accident.

4. Heard the submissions made by both sides and perused the materials available on record.

5. It is stated that the Trust is taking care of the orphans and mentally ill people. It is only a human gesture to save those helpless victims from death as well as from sexual abuse. If this mentally unsound people are allowed to wander in and around the busy streets of Madurai District, definitely there is every likelihood of their death in the road accident. It is now a days common that even normal people cannot cross the road. When such is the position, for a mentally ill person wandering in the streets according to their own wish, does not have the normal mental status to know the rules and regulations of traffic and hence they would definitely be knocked down by the moving vehicles. As far as the mentally ill ladies are concerned, there is definitely more chance for getting abused sexually.

6. This Court also taking suo-motu cognizance of the Newspaper report about mentally retarded Keralite lady being sexually abused in June 2009, had referred the matter to the Administrative Judge Honourable Ms. Justice Banumathi, who placed the matter to Honourable Mr. Justice R. S. Ramanathan, who in turn directed the Police authorities to rescue the mentally ill lady and admit her in the hospital and to give treatment. Therefore the mentally ill ladies would definitely face sexual abuse. What the Petitioner claims is that they have been taking care of the mentally ill people and it is only a service rendered to the human community. Therefore in the interest of justice, a direction is issued to the respondents/Police to identify and rescue the mentally ill people who are wandering in and around the streets of Madurai City and surrounding areas and admit them in the Care Home of the Petitioner/Trust who has come forward with this Petition to take care of them and protect those people. The Petitioner/Trust is directed to admit those mentally challenged persons after examination by Doctors so that any allegations in this regard can be avoided in consonance with the Division Bench Judgement of this Court with regard to the Petitioner/Trust.

7. The Criminal Original Petition is ordered accordingly.

Sd/-
Assistant Registrar (AS)
/True copy/
for M. S. Thiruvengadam
Sub Assistant Registrar

1232124

**MADRAS HIGH COURT
MADURAI BENCH**

S. R. No. 53382

Carbon Copy Application

Made 19/9/2014

Application Returned 1/10/2014

Application Represented 1/10/2014

Copy made ready 7/10/2014

Copy delivered 8/10/2014

S. S. Srinivasan
Section Officer

Tax G. C. C. Section *8/10/2014*

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