

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.12.2015

CORAM:

THE HON'BLE Mr.JUSTICE R.SUBBIAH

Crl.O.P.No.29865 of 2015

Ayubkhan

... Petitioner

Vs.

1.Commissioner of Police,
Office of the Commissioner of Police,
Veperi, Chennai.

2.The Inspector of Police,
D1, Triplicane Police Station,
Chennai.

3.The Inspector of Police,
R1, Mambalam Police Station,
Chennai.

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the second respondent police to provide adequate police protection to the petitioner and his family members wife on the basis of his complaint dated 26.11.2015.

For Petitioner : Mr.V.A.Dhana Aravindh Balaji

For Respondents: Mr.C.Emalias
Additional Public Prosecutor

ORDER

This petition is filed praying for a direction to the second respondent police to provide adequate police protection to the petitioner and his family members wife on the basis of his complaint dated 26.11.2015.

2.In the petition it is stated that the petitioner and Nasar (Alias) Bairam Khan, Paisul bari, Richard, Imran Khan are business partners and they have suffered loss in the business and the partners inorder to discuss about the business and losses suffered therein agreed to meet at 'Aruna Lodge' and room no.204 was booked.

It is further stated that the above said business partners colluded among themselves to fix the entire loss of the business upon the petitioner and hence the petitioner was assaulted and detained in the said room. On 21.11.2015, the petitioner escaped from the room and reached the reception room of the 'Aruna Lodge' and contacted the third respondent police and informed about his illegal detention. In the meanwhile, the said persons took away the petitioner's two cell phones and swift car. The petitioner also suffered fracture in his left leg. Hence, the petitioner lodged a complaint with the third respondent police and the complaint was assigned C.S.R.No.622 of 2015. Since, the petitioner is receiving continuous threat from the other persons, he came forward with this petition.

3.Heard the learned Additional Public Prosecutor who submitted that though the complaint lodged by the petitioner has been assigned C.S.R.No., if the petitioner needs police protection, he has to make separate representation to the respondent police and on receipt of such a representation, it will be considered on merits.

4.In view of the submissions made by the learned Additional Public Prosecutor, this Court directs the petitioner to give a fresh representation along with a copy of this order to the respondent police within a period of one week from the date of receipt of a copy of this order and the respondent police on receipt of the same is directed to conduct enquiry on the same and on the complaint in C.S.R.No.622 of 2015 and pass appropriate orders with regard to providing of police protection to the petitioner and his family members wife, after affording opportunity of personal hearing to the petitioner as well as to all the necessary parties, within a period of two weeks thereafter.

5.With the above observation, this Criminal Original Petition is disposed of.

Sd/-
Asst.Registrar (J)

/true copy/

Sub Asst. Registrar

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To

1.The Commissioner of Police,
Office of the Commissioner of Police,
Veperi, Chennai.

2.The Inspector of Police,
D1, Triplicane Police Station,
Chennai.

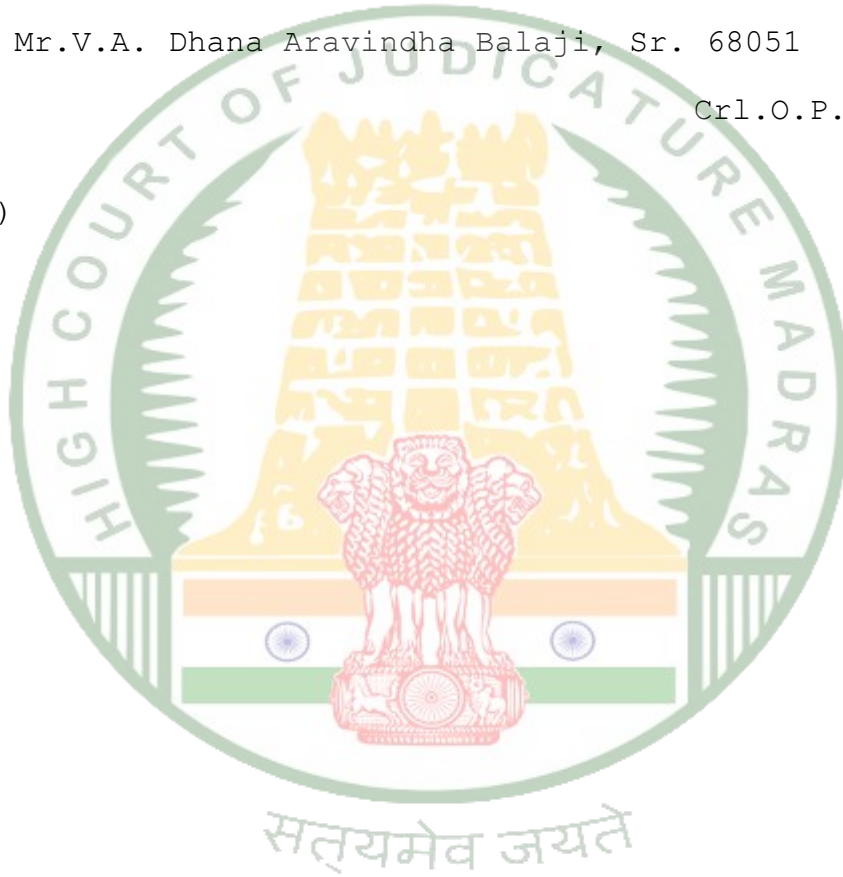
3.The Inspector of Police,
R1, Mambalam Police Station,
Chennai.

4.The Public Prosecutor
High Court, Madras.

1 cc to Mr.V.A. Dhana Aravindha Balaji, Sr. 68051

Crl.O.P.No.29865 of 2015

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