



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.07.2015

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

Cr1.O.P.(MD)No.10838 of 2015

S.Murugan

... Petitioner

Vs.

- 1.The Director General of Police,
Office of the Director General of Police,
Dr.Radhakrishnan road,
Mylapore, Chennai.
- 2.The District Collector and District Magistrate,
Office of the District Collector and District Magistrate,
Sivagangai District.
- 3.The Superintendent of Police,
Office of the Superintendent of Police,
Sivagangai District.
- 4.The Deputy Superintendent of Police,
Manamadurai Range,
Sivagangai District.
- 5.The Inspector of Police,
Sivagangai Town Police Station,
Sivagangai District.

... Respondents

Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, praying to direct the respondent No.5 to register FIR against the respondent No.2 and 3 on the basis of the petitioner's complaint dated 05.01.2012 and take necessary action in accordance with law within the time stipulated by this court.

For Petitioner : Mr.R.Alagumani

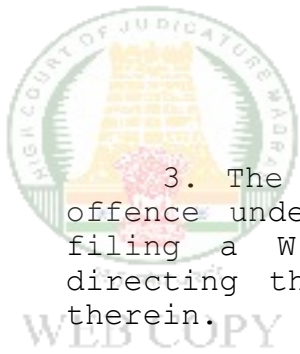
For Respondents : Mr.S.Prabha

Government Advocate (Cr1. Side)

O R D E R

Alleging that the second and third respondents have committed offence under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, the present petition has been filed.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Cr1. Side) appearing for the respondents and perused the records.



3. The petitioner has been arrayed as an accused in one case major offence under Section 302 IPC. The petitioner approached this court by filing a W.P.(MD).No.11567 of 2011 and this court passed an order directing the petitioner to submit a representation to the respondents therein.

4. Proceedings were initiated in pursuant to the order passed by this court. The second respondent has cancelled the license which was given to the petitioner for the use of pistol. The petitioner has filed an appeal and it is still pending. Now, the present petition has been filed that the order passed by this court has not been complied with. This court does not find any reason to allow this petition. A perusal of the order passed by this court would clearly shows that no positive direction has been given. Even otherwise for the alleged non compliance of order, the case cannot be registered.

5. Therefore, this court does not find any reason to allow this petition. Accordingly, this Criminal Original Petition is dismissed.

6. Though it has been stated that on the representation of the petitioner, adequate police protection shall be given by the respondent police. In view of the specific stand taken in the Paragraph No.8 of the counter affidavit, that the petitioner has never approached the respondent for the police protection. This court does not find any non compliance even in that regard. However, it is made clear that the order by this court will not stand in the way of the petitioner to approach the respondent for seeking adequate police protection. Further, as and when such request be made by the petitioner, the respondent is directed to consider the same and give proper police protection, if a threat to the petitioner exists.

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar

- To
- 1.The Director General of Police, Office of the Director General of Police, Dr.Radhakrishnan road, Mylapore, Chennai.
 - 2.The District Collector and District Magistrate, Office of the District Collector and District Magistrate, Sivagangai District.
 - 3.The Superintendent of Police, Office of the Superintendent of Police, Sivagangai District.
 - 4.The Deputy Superintendent of Police, Manamadurai Range, Sivagangai District.
 - 5.The Inspector of Police, Sivagangai Town Police Station, Sivagangai District.
 - 6.The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.
- +1cc to M/S.R.Alagumani, Advocate in SR.No 37421