

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.01.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

CrI.O.P.No.29412 of 2015

R.Annadurai

... Petitioner

Vs

1. The Superintendent of Police,
Cuddalore District,
Cuddalore.

2. State by
The Inspector of Police,
Kumaratchi Police Station,
Cuddalore District.

... Respondents

This Criminal Original Petition filed under Section 482 Cr.P.C. seeking direction to the second respondent herein viz., the Inspector of Police, Kumaratchi Police Station, Cuddalore District to give adequate police protection to the petitioner's family.

For Petitioner : Mr.K.Balu

For Respondents : Mr.C.Emalias
Additional Public Prosecutor

O R D E R

This petition has been filed seeking direction to the second respondent herein viz., the Inspector of Police, Kumaratchi Police Station, Cuddalore District to give adequate police protection to the petitioner's family.

2. The petitioner is residing in Agrahara Street, Kumaratchi Post, Kattumannarkoil Taluk - 608 302 for the past several years. The petitioner is a farmer and he is cultivating the land situated at Kumaratchi village. Due to some misunderstanding between the petitioner and the landlord, the petitioner filed a suit in O.S.No.110 of 2011 for restraining the landlord from interfering with the peaceful possession of the property. In the said suit, an interim injunction was also granted in favour of the petitioner. In spite of the fact that the matter is pending before the Civil Court and the interim

order is also in favour of the petitioner, the accused persons are continuously giving trouble to the petitioner. In the meantime, the accused persons executed a Sale Deed in favour of one Lakshmikanthan, Saravana Kumar and Sundari. The said persons entered into the property and threatened the petitioner with dire consequences. Immediately, the petitioner lodged a complaint before the second respondent police. But the second respondent has not issued any receipt for the same and no action was taken on the complaint of the petitioner till date. Since there is continuous threat by the accused persons, the petitioner has come forward with the present petition.

3. I have heard the learned counsel appearing for the petitioner as well as the learned Additional Public Prosecutor appearing for the first and second respondents.

4. When the matter was taken up for consideration, the learned Additional Public Prosecutor submitted that on receipt of the complaint given by the petitioner, a detailed enquiry was conducted and the complaint of the petitioner has been closed. He also produced a copy of the closure report. But the learned counsel for the petitioner denied the same stating that even today, the accused persons are threatening the petitioner and hence sought for police protection.

5. Irrespective of the submissions made on either side, the petitioner is directed to give a fresh representation along with a copy of this order to the second respondent within a period of one week from the date of receipt of a copy of this order. On receipt of the such representation, the third respondent is directed to consider the same purely on merits and in accordance with law, by providing personal hearing to the petitioner as well to other necessary parties and pass appropriate orders with regard to police protection within a period of two weeks from the date of receipt of a copy of this order. It is made clear that this court has not expressed any opinion on the merits of the petition and hence the third respondent is directed to pass an appropriate order on the representation of the petitioner purely on merits.

6. The Criminal Original Petition is disposed of accordingly.
vrc

s/d-

Assistant Registrar(CO)

True Copy

Sub-Assistant Registrar

To

1. The Superintendent of Police,
Cuddalore District,
Cuddalore.
2. The Inspector of Police,
Kumaratchi Police Station,
Cuddalore District.
3. The Public Prosecutor,
High Court, Madras.

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CrI.O.P.No. 29412 of 2015



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