

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.06.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.O.P. No.2162 of 2016

A.S.Rajarathinam

... Petitioner

Vs

1.The Commissioner of Police
Vepery, Chennai.

2.The Assistant Commissioner of Police
J-9, Thuraipakkam Police Station
Chennai.

3.The Inspector of Police
J-10 Police Station
Semmenchery
Chennai 600 119.

... Respondents

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to direct the 3rd respondent viz., the Inspector of Police, J-10 Semmencherry Police Station to implement and to enforce the order, dated 08.10.2013 passed in Crl.O.P.No.25139/2013 with letter and spirit.

For petitioner : Mr.B.Manimaran

For Respondents : Mr.C.Emalias
Additional Public Prosecutor

O R D E R

This petition has been filed to direct the 3rd respondent viz., the Inspector of Police, J-10 Semmencherry Police Station to implement and to enforce the order, dated 08.10.2013 passed in Crl.O.P.No.25139/2013 in letter and spirit.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the State.

3. This petitioner has filed Crl.O.P.No.25139/2013, in which this Court has passed the following order:

<https://hcservices.ecourts.gov.in/hcservices/> 4. Based on the complaint of the

petitioner, Thuraipakkam police registered a case in Crime No.48 of 2008 for offences under Section 341, 448, 323 and 506(i) of IPC. Now, it has become the Calender Case in C.C.No.847 of 2008 pending before the learned Judicial Magistrate, Alandur.

5. The accused are inimical towards the petitioner and his family members. Thus, petitioner apprehends danger at their hands.

6. In the circumstances, the second respondent viz., the Inspector of Police, J-10, Semmencherry Police Station, Chennai, is directed to give necessary protection to the petitioner and his family members.

7. With this direction, the Criminal Original Petition is disposed of."

Thereafter, this petitioner has filed the present petition for a direction to the respondent police to implement the order dated 08.10.2013 in Crl.O.P.No.25139/2013 in letter and spirit.

4. Mr.A.Mohamed Nazar, Inspector of Police, J-10 Semmancherry Police Station, Chennai has filed a Status Report, wherein it is stated as follows:

"4. It is submitted that during pending trial, the petitioner/defacto complainant filed a direction petition before this Hon'ble High Court in Crl.O.P.No.25139 of 2013 to direct the second respondent to give police protection to the petitioner and his family members and on 8.10.2013, this Hon'ble High Court passed an order with the direction to the respondent police to give necessary protection to the petitioner and his family members.

5. It is submitted as per the order of this Hon'ble High Court, the then Inspector of police provided a Point Book at the residence place of the petitioner and it was signed by the beat police constables ensuring the protection of the petitioner and his family members round the clock till date.

6. I submit that the petitioner preferred a complaint before the respondent police for the occurrence happened on 7.1.2016 against one Kannan and Priya, who

are the neighbours, based on that C.S.R.No.6/2016 dated 7.1.2016 was assigned.

The counter petitioner Tmt.Priya, W/o Kannan, No.313, TNSCB, Semmacherry had also preferred complaint against the petitioner and his daughter namely Nagajothi with the allegation that the petitioner and his daughter abused the said Priya with filthy languages and outraged the modesty of her, through which she sustained injuries over forehead and admitted in the Rajiv Gandhi Government Hospital vide A.R.No.5255834 on 7.1.2016 and after the discharge, on 8.1.2016 the said Priya lodged this complaint against the petitioner and his daughter before the respondent police. Based on that above, C.S.R.No.9/2016 dated 8.1.2016 was given by the respondent police.

7. It is submitted that another neighbour namely Tmt.Lakshmi, W/o Venkatesan lodged complaint against the petitioner and his daughter before the respondent police and based on that C.S.R.No.7/2016 dated 7.1.2016 was assigned.

The above said three petitioners are under enquiry. The petitioner is a senior citizen and always raises hue and cry over petty issues with the neighbours and there was no threat against him from them."

5. From a reading of the Status Report it appears that the police have provided a Point Book at the residence place of the petitioner and the beat police constables are ensuring the protection of the petitioner and his family members round the clock till date. The petitioner cannot take advantage of this fact and be a source of nuisance to neighbours. If the petitioner is involved in any offence, it is open to the respondent police to register an FIR against him and take action in accordance with law.

With the above direction, this petition is closed.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

gms

To

1.The Commissioner of Police
Vepery
Chennai.

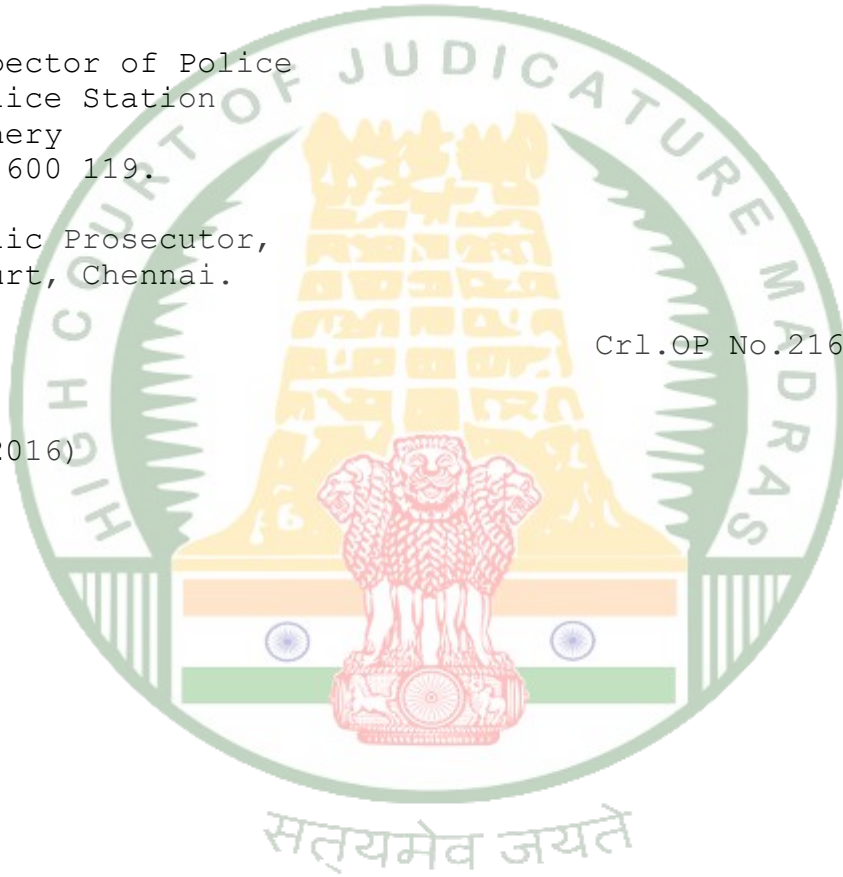
2.The Assistant Commissioner of Police
J-9, Thuraipakkam Police Station
Chennai.

3.The Inspector of Police
J-10 Police Station
Semmenchery
Chennai 600 119.

4.The Public Prosecutor,
High Court, Chennai.

Crl.OP No.2162 of 2016

RP(CO)
CA(12/07/2016)



WEB COPY