

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 12.10.2018

CORAM

THE HONOURABLE Mr.JUSTICE P.RAJAMANICKAM

CRL.O.P.No.15203 of 2015

P.Manojkumar

...Petitioner/Defacto-Complainant

Vs.

1.The Commissioner of Police,
Veppery,
Chennai-600 007.

2.The Inspector of Police,
K.2. Ayanavaram Police Station,
Chennai.

...Respondent/Complainant

PRAYER: This Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the 2nd respondent herein viz the Inspector of Police, K2, Ayanavaram Police Station, Chennai to GIVE POLICE PROTECTION to him and his family members on the complaint given by him to the 1st respondent herein on 02.06.2015.

For Petitioner : Mr.K.M.Subramanian
for Mr.K. Muruganantham

For Respondents : Mrs.T.Shunmugarajeswaran
Government Advocate

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O R D E R

This petition has been filed, praying to direct the respondents to give Police Protection to the petitioner and his family members based on the representation submitted by the petitioner dated 02.06.2015.

2.The learned counsel for the petitioner has submitted that the petitioner is holding the post of Vice President of

Youth Wing of BJP political party of Central Chennai, besides being the General Secretary of Body Building Association in Chennai and he is also working as Skilled Labour in ICF and Body Building Assistant Coach. He further submitted that on 05.02.2015 one Thennarasu, who was the District Secretary of B.S.P of North Chennai was murdered by his enemies and in the said case, the petitioner was arrested and remanded to Judicial custody. He further submitted that after investigation, the petitioner was exonerated from the said case and in the final report his name was not included and based on the same, the petitioner was released from the jail after a period of 95 days. He further submitted that one Bomb Saravanan, who is the brother of the deceased Thennarasu and his henchmen have conspired and openly declared that they will murder the persons, who are responsible for the death of the said Thennarasu. He further submitted that even though the petitioner herein was exonerated from the charges, the aforesaid persons are threatening the petitioner with dire consequences that they would do away the petitioner and apprehending the same, the petitioner submitted a representation before the 1st respondent on 02.06.2015 seeking police protection, but, so far as no action has been taken on the said representation. Hence the petition.

3.The learned Government Advocate has submitted that the 1st respondent has forwarded the said representation to the 2nd respondent and the 2nd respondent has conducted an enquiry and also passed an order on 27.06.2015 to the effect that a regular beat has to be held in and around of the petitioner's residential area and accordingly the police also regularly having beat and also beat book was kept in the petitioner's house and hence, the petitioner need not have any apprehension. He further submitted that if the petitioner gives a complaint mentioning the specific date and place where the aforesaid persons have committed conspiracy, then the respondent will take proper action against them. He further submitted that it is not possible to give police protection to the petitioner based on the alleged apprehension of the petitioner.

4.Considering the aforesaid submissions, this Court is of the view that no direction can be given to the police to give police protection to the petitioner. The petitioner has not made out a case that he is having real threat to his life and his family members. If there is any Criminal Conspiracy with regard to commit murder of the petitioner, the petitioner can very well give a complaint mentioning the place and date and also the name of the conspirators with specific details to the 2nd respondent and if any, such complaint is given, the 2nd respondent is directed to enquire the same and if the enquiry reveals any cognizable offence, register a case and proceed in accordance with law.

5.With the aforesaid directions, this Criminal Original Petition stands disposed of.

Sd/-
Assistant Registrar (CS-IX)

//True copy//

Sub Assistant Registrar

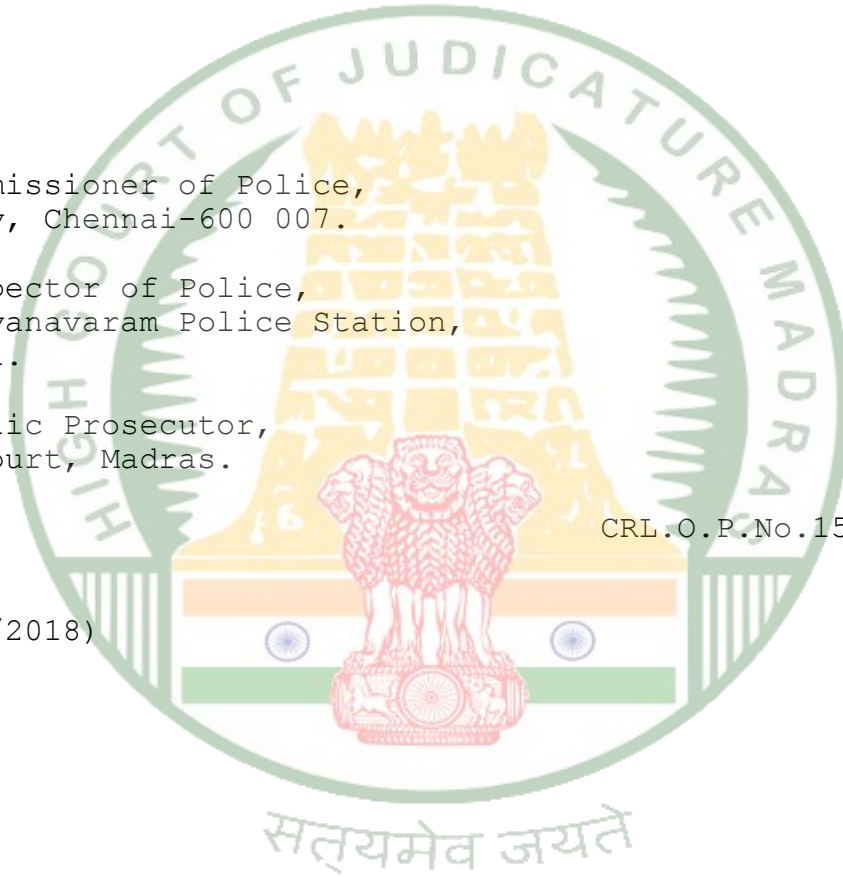
stm/vv2

To

- 1.The Commissioner of Police,
Veppery, Chennai-600 007.
- 2.The Inspector of Police,
K.2. Ayanavaram Police Station,
Chennai.
- 3.The Public Prosecutor,
High Court, Madras.

CRL.O.P.No.15203 of 2015

GMV (14/11/2018)



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