

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.07.2018

CORAM:

THE HON'BLE MR. JUSTICE P.N. PRAKASH

Crl.O.P. No.684 of 2018

N.R.N.Neethi Mohan

..Petitioner

vs.

1.The Director General of Police
Office of the Director General of Police
Mylapore, Chennai 600 004.

2.The Superintendent of Police
District Police Office, Tiruvarur District
Tiruvarur

3.The Inspector of Police
Tiruvarur Town Police Station,
Tiruvarur
Tiruvarur District.

.. Respondents

Criminal Original Petition filed under Section 482, Cr.P.C. to extend the police protection for further period of 3 months from 11.01.2018 on payment of charges as per the earlier order passed by this Court in Crl.O.P.No.31528 of 2014 by directing the respondents with appropriate orders.

For petitioner Mr.N.Palanivel

For Respondents Mrs.Kritika Kamal, P.

Government Advocate [Crl.Side]

ORDER

This Criminal Original Petition has been filed to extend the police protection for further period of 3 months from 11.01.2018 on payment of charges as per the earlier order passed by this Court in Crl.O.P.No.31528 of 2014 by directing the respondents with appropriate orders.

2. It is the case of the petitioner that he is into real estate business and that there is a threat to his life from various persons in Nagapattinam District. In this regard, the petitioner filed Crl.O.P.No.31528 of 2014 seeking police protection, in which, this Court passed the following order on 22.09.2017:

"9. The petitioner is directed to hand over xerox copies of the sale deeds and details of the properties which have been purchased in his name and the name of his relatives which he intends to plot out and hand over to the customers and is also directed to hand over the list of persons from whom the petitioner had collected monies for sale of plots to the 2nd respondent within 15 days from the date of receipt of this order. It is made clear that this order of direction to grant police protection will not preclude the respondents from taking appropriate legal action against the petitioner if he is brought to any adverse notice."

3. Learned counsel for the petitioner contended that the threat to the petitioner's life subsists and the petitioner is willing to make necessary payment for providing police security.

4. The Superintendent of Police, Thiruvarur District, has filed a status report, wherein, it is stated as follows:

"2. There is no proper acceptable reason adduced by the petitioner. There is no specific complaint given by the petitioner in respect of any threat or coercion by any specifically. For presumption based threat police protection is not justifiable.

3. The petitioner's averments made in the petition is not reasonable and acceptable one. Further the petitioner has not abide by the court order within the stipulated time. He belatedly deposited the amount after agitating the counter.

4. The petitioner is doing a real estate business and on installment basis a number of public invested money in the petitioner's company. The aggrieved persons lodged several complaints before the District Collector. The petitions have been forwarded to the department for perusal and necessary enquiry is also going on. In the circumstances, granting extension of protection is not justifiable one."

5. This Court gave its anxious consideration to the rival submissions.

6. In the opinion of this Court, just because a person is ready and willing to pay the necessary charges, police protection cannot be granted as a matter of routine. In this case, the petitioner was provided with police protection upto a certain period of time and thereafter, it was discontinued for the reasons stated in the status report.

7. Learned Government Advocate [Cr1.Side] submitted that there are no criminal cases against the petitioner.

8. In view of the above, though no individual police protection can be granted to the petitioner, yet, this Court directs the Superintendent of Police to ensure that no harm befalls the petitioner.

With the above direction, this petition is closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

gms
To

1.The Director General of Police
Office of the Director General of Police
Mylapore, Chennai 600 004.

2.The Superintendent of Police
District Police Office, Tiruvarur District
Tiruvarur

3.The Inspector of Police
Tiruvarur Town Police Station, Tiruvarur
Tiruvarur District.

4.The Public Prosecutor
High Court, Chennai.

Cr1.O.P. No.684 of 2018

NA(CO)
EU(05/07/2018)