

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:20.09.2018

CORAM

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

CrI.O.P.No.22637 of 2018

1.Akshaya

2.Mohammed Irfan

..Petitioners

Vs

1.The Commissioner of Police
Ponnamalle High Road,
Vepery, Chennai - 600 007.

2.State by,

The Inspector of Police,
M8-Sathangadu Police Station,
Chennai District.

Crime No.350 of 2018

..Respondents

PRAYER: Criminal Original Petition filed under Section 482 of CrI.P.C., to direct the 2nd respondent to give Police Protection to the petitioners based on the representation given by the 1st petitioner to the Respondents 1 and 2 dated 08.09.2018 and regarding the case pending in Crime No.350 of 2018 on the file of the Inspector of Police, M8-Sathangadu Police Station, Chennai District.

For Petitioners : Mr.S.Silambu Selvan

For Respondents : Ms.M.Prabhavathi
Additional Public Prosecutor

ORDER

This petition has been filed by the petitioners to direct the second respondent to give police protection to the petitioners based on the representation submitted by the first petitioner to the respondents 1 & 2 on 08.09.2018 with regard to the Crime No.350 of 2018 on the file of the second respondent.

2. The learned counsel for the petitioners has submitted that the petitioners loved each other and got married on 29.08.2018. He further submitted that aggrieved by the same, the first petitioner's father criminally intimidated the petitioners and also attempted to assault them and hence the petitioners have sent a representation to the respondents 1 & 2 on 08.09.2018 seeking police protection, but so far, no action has been taken.

3.The learned Additional Public Prosecutor has submitted that as per the address given in the petition, the petitioners are residing at ernavoor, but the representation was addressed to the second respondent and the said place does not come within the jurisdiction of the second respondent and therefore, Second respondent cannot give police protection to the petitioners. She further submitted that already the first petitioner's father gave a complaint on 21.06.2018 stating that the second petitioner has kidnapped the first petitioner. She further submitted thta at that time, the first petitioner was a minor and based on the said complaint, the second respondent has registered a case in Crime No.350 of 2018 under Section 366(A) IPC.

4.She further submitted that since already a case has been registered against the second petitioner as he has kidnapped the first petitioner, both the petitioners may be directed to appear before the second respondent in connection with Crime No.350 of 2018 for investigation purpose.

5.Admittedly, based on the complaint given by the first petitioner's father, a case was registered against the second petitioner by the second respondent under Section 366(A)IPC. In the said case, it is alleged that the first petitioner was a minor and she was kidnapped by the second petitioner for the purpose of getting marriage. While so, now the petitioners are seeking protection with regard to the case in Crime No.350 of 2018.

6.Considering the aforesaid facts, the petitioners herein are directed to appear before the second respondent for the purpose of investigation in Crime No.350 of 2018. On such appearance, the second respondent shall proceed further as per the law. With regard to the police protection sought for by the petitioners, the first respondent is directed to forward the representation, which was submitted by the petitioners on 08.09.2018 to the concerned jurisdictional police station. On receipt of the said representation, the concerned jurisdictional police Inspector has to consider the said representation and dispose of the same in accordance with law.

With the aforesaid observations the petition is disposed of.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

To

1.The Commissioner of Police
Ponnamalle High Road,
Vepery, Chennai - 600 007.

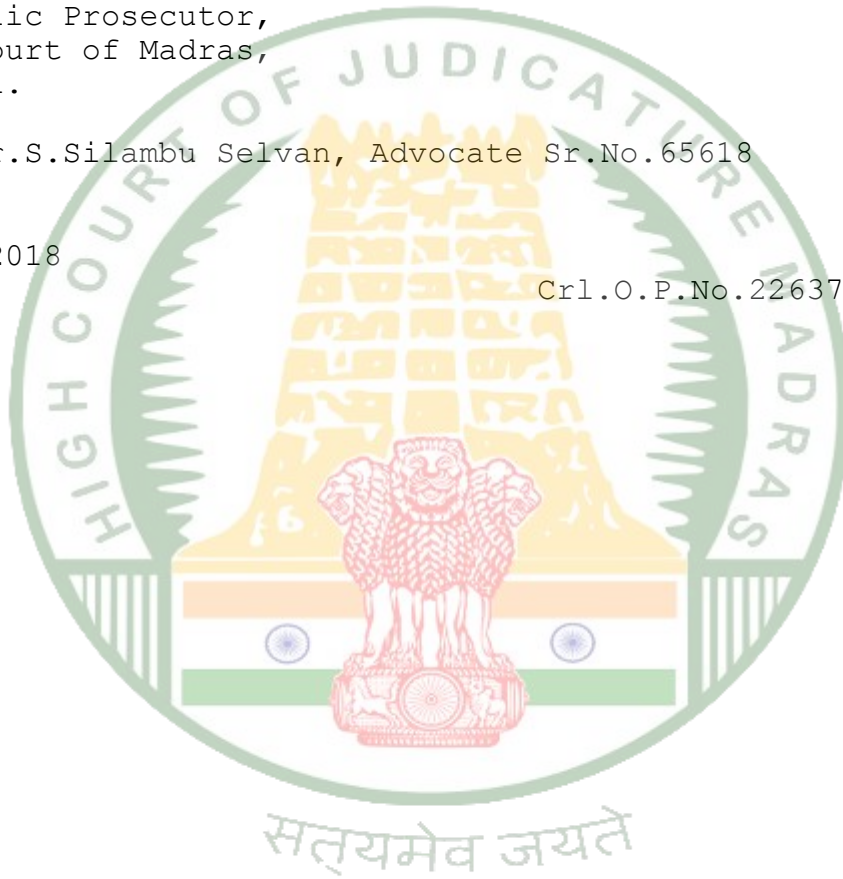
2.The Inspector of Police,
M8-Sathangadu Police Station,
Chennai District.
Crime No.350 of 2018

3.The Public Prosecutor,
High Court of Madras,
Chennai.

+lcc to Mr.S.Silambu Selvan, Advocate Sr.No.65618

SS(CO)
sm:10.10.2018

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