

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.04.2018

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.O.P. No.12144 of 2018

M/s.Reliance JioInfocomm Limited
having its Circle Office at A1 Tower, 8th Floor,
89-90, Dr.Radhakrishnan Salai,
Mylapore, Chennai-600 004.
represented by its Legal Manager
Mr.Kalaimani

Petitioner

Vs.

The Inspector of Police
Kodavasal Police Station
Tiruvarur District.

Respondent

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, seeking a direction to the respondent herein to provide effective police protection for erection of transmission cell phone tower and to install all the telecommunication electrical and electronics equipments, OFC Cable and the maintenance work on the said BTS Transmission Tower at R.S.No.151/31, Sellur Village, Kodavasal Taluk, Tiruvarur District.

For petitioner Mrs.R.Anitha
For respondent Mrs.Kritika Kamal.P
Government Advocate (Crl. Side)

O R D E R

This Criminal Original Petition has been filed seeking a direction to the respondent herein to provide effective police protection for erection of transmission cell phone tower and to install all the telecommunication electrical and electronics equipments, OFC Cable and the maintenance work on the said BTS Transmission Tower at R.S.No.151/31, Sellur Village, Kodavasal Taluk, Tiruvarur District.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) appearing for the respondent and perused the materials placed on record.

3. In a similar case, this Court has passed the following order:-

"2. The learned counsel for the petitioner would submit that the petitioner's company had the contract agreement for installation of Cell Phone tower with M/s. Indus Towers Limited, a Company registered under the provisions of Indian Companies

Act, 1956. It is further submitted by the learned counsel for the petitioner that whenever the petitioner's company attempted to erect transmission cell phone tower, public is causing interference. The learned counsel for the petitioner also submitted that by order dated 05.03.2015, the Hon'ble First Bench of this Court, in W.P.Nos.24976 of 2008 and etc., batch, held that because of the advancement in the science, no one has prevented to erect cell phone towers. It is also submitted that the petitioner has given a complaint dated 24.02.2016 to the first respondent police seeking police protection, for which C.S.R.No. 42 of 2016 and since the same has not been considered so far, he has come up with the present petition for the relief stated supra.

3. Heard the learned Additional Public Prosecutor appearing for the respondent.

4. Considering the facts and circumstances of the case, the petitioner is directed to send a fresh representation to the respondent and on receipt of the same, the respondent is directed to consider the representation to be submitted by the petitioner and pass appropriate orders on merits and in accordance with law, within a period of one week from the date of receipt of copy of this order.

5. With the above directions, this Criminal Original Petition is disposed of."

4. In the light of the above, the petitioner is directed to give a fresh representation in person to the respondent police and on receipt of the same, the respondent police is directed to consider the representation and take action in accordance with law, by giving police protection, provided the petitioner produces sufficient materials in support of its claim.

With the above direction, this Criminal Original Petition is closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

mk

<https://hcservices.ecourts.gov.in/hcservices/>

To

1. The Inspector of Police
Kodavasal Police Station
Tiruvavarur District.

2. The Public Prosecutor
High Court, Madras.

+lcc to Mrs.R.Anisha, Advocate Sr.No.30803/2018

SG(CO)
sm:9.5.2018

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