

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.07.2018

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.O.P.No.18761 of 2018

M/s.Reliance Jio Infocomm Limited,
having its Circle office at Al Tower, 8th Floor,
89-90, Dr.Radhakrishnansalai,
Mylapore, Chennai - 600 004,
represented by its Legal Manager,
Mr.D.Kalaimani.

...Petitioner

Vs.

1. The Deputy Superintendent of Police
Nilgiris,
Nilgiris District.

2. The Inspector of Police
Kothagiri Police Station
Nilgiris District.

...Respondents

Criminal Original Petition filed under Section 482 Cr.P.C.
seeking a direction to the respondents herein to provide police
protection to the petitioner's company to erect transmission
tower at 2300 sq.ft area with plot admeasuring Acre 1.00 area
comprised in S.F.No.925/25 and plot admeasuring 0.04 acre or 4
cents comprised in S.F.No.925/21, Kotagiri Village, Kotagiri
Taluk, Nilgiris District and the petitioner undertakes to pay
necessary charges.

For Petitioner : Mrs.L.Srileka

For Respondents : Mr.C.Raghavan

Government Advocate (Crl. Side)

O R D E R

This Criminal Original Petition has been filed seeking a
direction to the respondents herein to provide police protection
to the petitioner's company to erect transmission tower at 2300
sq.ft area with plot admeasuring Acre 1.00 area comprised in
S.F.No.925/25 and plot admeasuring 0.04 acre or 4 cents
comprised in S.F.No.925/21, Kotagiri Village, Kotagiri Taluk,
Nilgiris District and the petitioner undertakes to pay necessary
charges.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) appearing for the respondents 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(Audit)

//True Copy//

Sub Assistant Registrar

mk

To

1. The Deputy Superintendent of Police
Nilgiris,
Nilgiris District.
2. The Inspector of Police
Kothagiri Police Station
Nilgiris District.
3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.L.Srileka, Advocate, S.R.No.50242

Cr1.O.P. No.18761 of 2018

GSP(02/08/2018)

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