IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.11.2018

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.26172 of 2018

Valliyamma ...Petitioner/
Defacto Complainant

-Vs-

State: Inspector of Police,
Kanakamma Chatiram,
D3 Police Station,
Thiruvallur District. ...Respondent/Respondent

Prayer:
Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to direct the respondent police to give police protection to the petitioner.

For Petitioner : Mr.K.Arvind
For Respondent : Mr.M.Mohamed Riyaz
Additional Public Prosecutor,
High Court, Chennai - 104.

ORDER

This petition has been filed seeking for police protection.

2. The learned counsel for the petitioner would submit that the petitioner has given a complaint against a group of persons involved in illegal sand mining. Therefore, the sand mafia started threatening the petitioner and therefore the petitioner has given a complaint before the respondent police on 08.09.2018. The respondent police has given CSR for the said complaint on the same day. However, till date, no action has been taken by the respondent police.

3. The learned counsel for the petitioner would submit that the petitioner will approach the appropriate Magistrate Court seeking for a direction to register the F.I.R. However, in the meantime, since the petitioner is facing threat from the sand mafia, the respondent police will have to provide sufficient police protection to the petitioner.

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4. The fact remains that the complaint has been given by the petitioner and the respondent police have issued the CSR on 08.09.2018. The petitioner has to necessarily work out his remedy in accordance with the judgment of the Division Bench of this Court in Crl.O.P (MD).No.13681 of 2018 and a batch of cases, dated 20.09.2018, and if any F.I.R is registered by the respondent police, the respondent police can consider the request made by the petitioner for providing police protection.

5.The Criminal Original Petition is disposed of with liberty to the petitioner to workout his remedy in accordance with law in line with the guidelines given by the Hon'ble Division Bench referred supra.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

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To

1. The Inspector of Police,
   Kanakamma Chatiram,
   D3 Police Station,
   Thiruvallur District.

2.The Additional Public Prosecutor,
   High Court,
   Chennai.

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