

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.11.2018

CORAM

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Cr1.O.P.No.27053 of 2018

T.Inayathullah

...Petitioner

Versus

1. The District Superintendent of Police,
O/o. The District Superintendent of Police,
Vengikkal,
Tiruvannamalai District.

2. The State,
Rep. By the Sub-Inspector of Police,
Pachal Police Station,
Pachal,
Tiruvannamalai District.

3.S.Mainudheen

4.S.Mohammed Ali

5.S.Rasool

6.S.Ghairon Bee

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, directing the 2nd respondent herein to provide Police Protection to the Petitioner.

For Petitioner : Mr.J.Ashok

For R1 & R2 : Mr.C.Raghavan
Government Advocate [Cr1. Side]

O R D E R

This Criminal Original Petition has been filed seeking for a Police Protection.

2.It is seen from the records that the 3rd respondent has filed a suit against the petitioner and the same is pending in O.S.No.169 of 2018, on the file of the Principal District Munsif Court, Chengam. It is also seen that a Police complaint has been given by the 3rd respondent against the petitioner and on completion of the investigation, the police have also filed a final report and the same has been taken on file in C.C.No.96 of 2018 by the learned Judicial Magistrate, Chengam.

3.The learned counsel for the petitioner would submit that the 3rd respondent is an advocate, who is practicing at Chengam and he is preventing the petitioner from effectively conducting the cases pending against him and no one is appearing on behalf of the petitioner from Chengam and therefore, the petitioner was forced to engage a counsel from Chennai. That apart, there is a constant threat to the petitioner from the 3rd respondent.

4.In the facts and circumstances of the case, the petitioner is given liberty to move the appropriate Court by filing a memo with regard to the threat faced by him in appearing before the Court and effectively conducting the case. On such memo being filed, the concerned Court shall make an enquiry and pass appropriate order in accordance with law. Since, the threat to the petitioner is only with regard to attending the proceedings before the Court in the pending cases, this Court thought it fit, to direct the petitioner to file an appropriate memo before the concerned Court and it will not be proper to involve the police at this stage.

5.Hence, this Criminal Original Petition is disposed of, with the above said directions.

Sd/-
Deputy Registrar

//True Copy//

Sub Assistant Registrar

vv2/rpl

To

1. The District Superintendent of Police,
O/o. The District Superintendent of Police,
Vengikkal, Tiruvannamalai District.

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2. The Sub-Inspector of Police,
Pachal Police Station,
Pachal, Tiruvannamalai District.

3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.J.Ashok, Advocate, S.R.No.79677

CRL.O.P.No.27053 of 2018

CS/28/11/2018



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