



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.02.2018

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE P.RAJAMANICKAM

Cr1.O.P.(MD)No.1084 of 2018

Hakkim Deen

... Petitioner

-Vs-

1.The State represented by
The Commissioner of Police,
Madurai City, Madurai.

2.The State represented by
The Sub Inspector of Police,
Jaihindpuram Police Station,
Madurai.

3.Dhanasekaran
(R.3 impleaded as per order of
this Court made in Cr.M.P.(MD).771/18 in
Cr1.OP(MD)No.1084 of 2018 dated 06.02.2018.) ... Respondents

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to direct the respondents to give police protection to the petitioner, his family members' life and as well as to his properties on the basis of the complaint dated 11.01.2018.

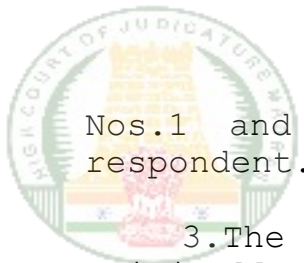
For Petitioner :Mr.K.Gokul

For R1 and R2 : Mr.A.P.G.Ohm Chairma Prabhu
Government Advocate(Cr1.side)

For R3 : Mr.T.Arul Vadivel @ Sekar

O R D E R

This petition has been filed to direct the respondent Nos.1 and 2 to give police protection to the petitioner and his family members and as well as his properties on the basis of the complaint given by the petitioner dated 11.01.2018.



Nos.1 and 2 and the learned counsel appearing for the third respondent.

3.The learned counsel for the petitioner has submitted that originally the petitioner was a tenant under one Kathirvel Servai and subsequently Kathirvel Servai died and his legal heirs have disturbed the petitioner's possession and hence the petitioner has filed a suit in O.S.No.539 of 2017, on the file of the Principal District Munsif Court, Madurai and also filed an application in I.A.No.804 of 2017 for seeking interim injunction. The learned Principal District Munsif Court, Madurai has also granted interim injunction. He further submitted that the third respondent trespassed into the petitioner's house and criminally intimidated him and his family members and that he threw acid on the face of the petitioner and hence the petitioner has lodged a complaint on 11.01.2018 before the second respondent, but so far, no action has been taken. The third respondent again threatening the petitioner and his family members and hence he is seeking police protection.

4.The learned Government Advocate (Crl. Side) has submitted that the petitioner is included in the history sheet and 7 cases are still pending against him. He further submitted that the complaint given by the petitioner has been closed on 19.02.2018, after due enquiry.

5.The learned counsel for the third respondent has submitted that the third respondent has not committed any offence. It is only the petitioner has committed the offence and hence the third respondent has lodged a complaint against the petitioner and based on that the second respondent registered a case in Crime No.1520 of 2017 punishable under Sections 147, 148, 452, 294(b), 323, 324, 355, 506(ii) IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 1998.

6.The learned counsel for the petitioner by way of reply has submitted that out of 7 cases, already 5 cases were closed and only 2 cases are pending against the petitioner. He further submitted that purposely the second respondent has included the petitioner's name in the history sheet and therefore, he requests to grant police protection.

7.Considering the aforesaid submissions, the second respondent is directed to enquire into the petitioner's complaint and if the enquiry reveals any cognizable offences then he has to register a case. Further, the second respondent is directed to consider the petitioner's representation with regard to provide police protection and dispose of the petitioner's complaint at early.



8. With the above directions, this criminal original petition is disposed of.

Sd/-
Assistant Registrar(AE)

/True Copy/

Sub-Assistant Registrar

To

1. The State represented by
The Commissioner of Police,
Madurai City, Madurai.
2. The State represented by
The Sub Inspector of Police,
Jaihindpuram Police Station,
Madurai.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+One cc to Mr.K.Gokul, Advocate, SR.No.49708
+One cc to Mr.C.Arul Vadivel @ Sekar, Advocate, SR.No.49765

gsp
RL/6C/3P/KK/SAR2/23/2/2018

Crl.O.P.(MD)No.1084 of 2018

20.02.2018