



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.07.2018

CORAM

THE HONOURABLE MR. JUSTICE D.KRISHNAKUMAR

CRL.O.P.(MD)No.11278 of 2018

WEB COPY

P.Arulsiva

... Petitioner

Vs

1. The Superintendent of Police,
Nagercoil,
Kanyakumari District.

2. The Inspector of Police,
Suseendram Police Station,
Kanyakumari District.

3. The Sub Inspector of Police,
Anjugagramam Police Station,
Kanyakumari District.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the respondents to provide armed police security to the petitioner and his family members by appointing a Police Escort to the petitioner based on the representation given by the petitioner dated 04.04.2018.

For Petitioner : Mr.S.Diwarhar

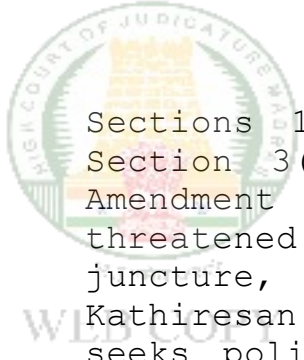
For Respondents : Mr.K.Suyambulingabharathi
Government Advocate (Crl.side)

O R D E R

This petition has been filed under Section 482 of the Code of Criminal Procedure, to direct the respondents to provide armed police security to the petitioner and his family members by appointing a Police Escort to the petitioner based on the representation given by the petitioner dated 04.04.2018.

2.According to the petitioner, the petitioner is a practising Advocate in the Kanyakumari District Court for the past eight years and has been working in the Bharathiya Janatha Party for the past five years. The petitioner has been working as District Executive Committee and on various district level capacity posts.

3.The learned counsel appearing for the petitioner submitted that there was some dispute with one Ramalingam and thereafter, the dispute was settled. Subsequently, the said Ramalingam was threatened by one Kathiresan for ransom, for which, the case has been registered in Crime No.34 of 2018 for the offences under



Sections 147, 148, 294(b), 323, 324, 307, 506(ii) of IPC and Section 3(1)(r) and 3(1)(s) of SC/ST Prevention of Atrocities Amendment Act. The said Kathiresan and his brother-in-law threatened the petitioner's assistant by seeking ransom. At this juncture, the petitioner was also threatened by the aforesaid Kathiresan and by the Muslim Fundamental Organization. Hence, he seeks police protection by the Police Escort. In this regard, the petitioner has also given a representation dated 04.04.2018 to the respondents. Since no response is forthcoming on the said representation, the petitioner is before this Court seeking a direction to the respondents.

4.The learned counsel appearing for the petitioner has relied upon the order passed by this Court made in W.P.No.15401 of 2015, dated 28.05.2015 and the said order is also squarely applicable to the facts of this case.

5.The learned Government Advocate (Crl.side) appearing for the respondents submitted that the petitioner's representation dated 04.04.2018, shall be considered on merits and in accordance with law.

6.Considering the aforesaid submission and taking note of the order passed by this Court made in W.P.No.15401 of 2015, dated 28.05.2015, without expressing any opinion, this Court is inclined to direct the first respondent to consider the petitioner's representation dated 04.04.2018, on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order, after providing opportunity of hearing to the petitioner.

7.With the above direction, this criminal original petition is disposed of.

Sd/-

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Nagercoil,
Kanyakumari District.

2. The Inspector of Police,
Suseendram Police Station,
Kanyakumari District.



3. The Sub Inspector of Police,
Anjugagramam Police Station,
Kanyakumari District.

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.S.Diwahar, Advocate Sr.No.71618

RMI

VB/SV/SAR4/17.07.2018/3P/6C

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