

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.02.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CrI.O.P.No.5395 of 2019

D.Sivasankaran

... Petitioner

Vs

1.The Director General of Police
Tamilnadu Police Head Quarters
Dr.Radhakrishnan Salai
Mylapore
Chennai-600 004.

2.The Commissioner of Police
Greater Chennai
EVK Sampath Road
Vepery
Chennai-600007

...Respondents

Prayer :- Criminal Original Petition filed under Section 482 Cr.P.C to issue a direction to the respondents to provide adequate police protection to the petitioner and his family members based on the petitioner's representations dated 13.12.2018, 21.01.2019 & 04.02.2019 submitted to the respondents herein within a time frame fixed by this Hon'ble Court.

For Petitioner :Mr.S.Sathia Chandran

For Respondents:Mr.M.Mohamed Riyaz,
Additional Public Prosecutor

ORDER

This petition has been filed seeking for police protection to the petitioner and his family members based on the petitioner's representations dated 13.12.2018, 21.01.2019 & 04.02.2019.

2. It is seen that the petitioner submitted a representation to the respondents 1 and 2 herein and FIR has been registered in Crime No.11 of 2007. It is also seen that another FIR has been registered as against the accused in Crime No.8 of 2007. Therefore, police protection cannot be given to the petitioner in Crime No.8 of 2007 and also so many times counter complaint has been registered. Therefore, petitioner is

directed to file a representation to the concerned Jurisdictional Police station. On receipt of the same, the said police station is directed to consider the representation and pass orders on merits and in accordance with law.

3. The Hon'ble Supreme Court of India has already passed an order in CrI.O.P.No.369 & 376 of 2009 dated 13.12.2019 read as follows:

"4. We have heard rival submissions of the parties and perused the material on record. Having given our consideration to the facts and circumstances, especially the fact that a period of ten years time has since been elapsed from the date of High Court's order, the aspect of continuance of providing police protection to the respondent No.1 herein and his family members at Chennai needs to be reviewed. We, therefore, direct the D.G.P., Chennai (Respondent No.3 herein) to review the same and decide whether such protection is still necessary to extend or not and take suitable action accordingly".

4. In view of the above, this Criminal Original Petition is disposed of, by giving liberty to the petitioner to workout his remedy before the concerned Jurisdictional police station in the manner indicated herein above.

-s/d-

Deputy Registrar

True Copy

Sub-Assistant Registrar

vsn/lpp

To

1.The Director General of Police
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Chennai-600 004.

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+1 CC to Mr.S.Sathia Chandran, Advocate sr 18625.

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SP(15/03/2019)