

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.08.2019

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Cr1.O.P.No.23546 of 2019

K.Dineshkumar

... Petitioner

Vs.

1. The Superintendent of Police,
Kanchipuram,
Kanchipuram District.

2. Vasa @ Vasanth ... Respondents

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C. to issue appropriate direction to the respondent herein to give police protection in accordance with law on the basis of the representation dated 24.08.2019 to the respondent.

For Petitioner : Mr.A.Saranraj

For Respondents: Mr.M.Mohamed Riyaz

Additional Public Prosecutor

ORDER

This petition has been filed seeking for a direction to the respondent police to grant police protection to the petitioner.

2.The petitioner is involved in various offences and presently three cases are in the stage of committal before the learned Judicial Magistrate No.1, Kanchipuram. The petitioner alleged that he is not in a position to go to the Court since there is a potential life threat for him. Therefore a representation was made to the 1st respondent and since the same was not acted upon, the present petition has been filed before this Court.

3.The learned Additional Public Prosecutor appearing on behalf of the respondent police vehemently opposed the relief sought for by the petitioner. The learned counsel submitted that the petitioner is facing three Sessions cases and if police protection is granted to such person, it will bring a very bad image to the police in the society. The learned counsel submitted that when the petitioner appears before the Court for

hearing, he will be given sufficient security and the petitioner cannot expect the police to give him an escort who will remain with him wherever he goes.

4.The learned counsel for the petitioner submitted that the petitioner is willing to cooperate for the speedy disposal of the case and that the petitioner is not in a position to go to Court since there is potential life threat.

5.This Court has carefully considered the submissions made on either side.

6.As rightly contended by the learned Additional Public Prosecutor, an escort cannot be provided to the petitioner. It is brought to the notice of this Court that the case is posted before the learned Judicial Magistrate No.1, Kanchipuram on 03.09.2019. On that day, the respondent police shall ensure the safety of the petitioner inside the Court premises. It is left open to the petitioner to file an appropriate memo before the Committal Court explaining the life threat faced by him and it is left open to the Committal Court to take a decision in this regard in accordance with law.

7. This Criminal Original Petition is disposed of with the above direction.

Sd/-

Assistant Registrar (CCC)

//True Copy//

Sub Assistant Registrar

Ssr
To

1. The Superintendent of Police,
Kanchipuram,
Kanchipuram District.
2. The Public Prosecutor,
High Court, Madras.

+lcc to Mr.A.Saranraj, Advocate, S.R.No. 75776

Cr1.O.P.No.23546 of 2019

KS (CO)
GN(30/08/2019)