

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.12.2019

CORAM:

THE HONOURABLE Mr.JUSTICE P.RAJAMANICKAM

Crl.OP.No.33440 of 2019

M.Balasunder

... Petitioner

Vs.

State rep. By

1. The Commissioner of Police,
Chennai Metro City,
Vepery, Chennai -07.
2. The Inspector of Police,
P1 Police Station, (Crime Section)
Otteri, Chennai -12.

3. Mr.Karrupa @ Abavanan

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C, to issue direction to the 1st and 2nd respondents to provide the police protection to the petitioner against the 3rd respondent based on his representation dated 09.12.2019.

For Petitioner : Mr.G.Kartheeban

For Respondents : Mr.Mohamed Riyaz,
Additional Public Prosecutor
for R1 and R2

ORDER

This petition has been filed to direct the 1st and 2nd respondents to provide police protection to the petitioner against the 3rd respondent.

2. The learned counsel for the petitioner has submitted that the third respondent has attacked and criminally intimidated and assaulted the petitioner. Hence, he lodged a complaint before the second respondent and based on the same, an F.I.R was registered against the third respondent under Sections 506(2), 324, 323, 294(b), 341 of IPC. On 06.12.2019, the third

respondent was arrested and remanded to judicial custody. He further submitted that the petitioner is having any apprehension that if the third respondent is released on bail, then he would repeat the same kind of offence and hence he requests to direct the respondents 1 and 2 to give adequate police protection to the petitioner.

3. Per contra, the learned Additional Public Prosecutor has submitted that since F.I.R has been registered and the third respondent was arrested and remanded to judicial custody and the apprehension of the petitioner is imaginary one. Therefore, he prayed to dismiss this petition.

4. Admittedly, an F.I.R has been registered against the third respondent and he has been arrested and remanded to judicial custody. If the petitioner is having any apprehension, he can oppose the bail application at the time of moving bail application by the third respondent. Further, the second respondent is also directed to consider the petitioner's representation dated 09.12.2019 and dispose of the same in accordance with law.

5. With the aforesaid direction, this petition is disposed of.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

Vv
To

1. The Commissioner of Police,
Chennai Metro City,
Vepery, Chennai -07.
2. The Inspector of Police,
P1 Police Station, (Crime Section)
Otteri, Chennai -12.
3. The Public Prosecutor,
Madras High Court, Chennai.

+1cc to M/s.G.Kartheeban, Advocate Sr.103050

Cr1.O.P.No.33440 of 2019

bp[co]
srg 10/02/2020