

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.04.2019

CORAM

THE HONOURABLE Mr.JUSTICE G.K.ILANTHIRAIYAN

Cr1.O.P.No.29115 of 2018

D.Mahaeswari

.. Petitioner

Vs.

The State by:-

1.The Commissioner of Police,
Officer of the Commissioner of Police,
(Greater City of Chennai),
E.V.K.Sampath Salai, Vepery,
Chennai-600 007.

2.The Inspector of Police (L & O),
P-6, Kodungaiyur Police Station,
Kodungaiyur, Chennai-600 118.

.. Respondents

Prayer: Criminal Original Petition is filed under Section 438 of Criminal Procedure Code, to direct the 1st respondent Police to provide Police protection to the petitioner and her family on the basis of representation dated 26.11.2018.

For Petitioner : Mr.P.K.Murali

For Respondent : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

सत्यमेव जयते
O R D E R

This Criminal Original Petition has been filed seeking for Police Protection.

2.It is seen that one Sathyanathan along with his family members, who are residing opposite to the petitioner's house and causing threat to the petitioner and abused her with filthy language. In this regard, on 25.09.2017, the petitioner lodged a complaint against them before the 2nd respondent Police, thereby registered a case in Crime No.171 of 2018 for the offences under Sections 294(b), 448 & 506(i) of IPC and Section 4 of the Tamil Nadu Prohibition of Harassment Women Act, 2002.

3.It is also seen from the records that the petitioner was in the house, at that time one Thavamani abused the petitioner in filthy language and threatened her with dire consequences. Therefore, the petitioner lodged another complaint before the 2nd respondent. In respect of the same, the 2nd respondent issued a C.S.R.No.322 of 2018, dated 22.03.2018. Due to inaction of the 2nd respondent, the petitioner preferred a petition under Section 156(3) of Cr.P.C before the learned V Metropolitan Magistrate, Egmore. Thereafter, the learned Magistrate by its order dated 06.06.2018 in CrI.M.P.No.2618 of 2018 directed the respondent Police to proceed for investigation and file a final report. Thereafter, the respondent police registered the case in Crime No.816 of 2018 on 18.06.2018 for the offences under Sections 294(b), 506(i) of IPC.

4.Considering the facts and circumstances, the 2nd respondent is directed to consider representation of the petitioner dated 26.11.2018 and conduct an enquiry after giving opportunity of hearing to the counter party and pass orders on merits in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

5.With the above said direction, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

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To

1.The Commissioner of Police,
Officer of the Commissioner of Police,
(Greater City of Chennai),
E.V.K.Sampath Salai, Vepery, Chennai-600 007.

2.The Inspector of Police (L & O),
P-6, Kodungaiyur Police Station,
Kodungaiyur, Chennai-600 118.

3.The Public Prosecutor,
High Court Madras.

CrI.O.P.No. 29115 of 2018

CSL/26.06.2019