



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.02.2019

CORAM

THE HONOURABLE MR. JUSTICE **N.SESHASAYEE**

Cr1.O.P. (MD) No.2645 of 2019

Mahendrakumar Jain

... Petitioner

Vs.

1.The Commissioner of Police,
Madurai City,
Madurai.

2.State rep. by the Inspector of Police,
Thidir Nagar Police Station,
Madurai City.

3.Marimuthu

4.Seenivasan

5.Thirumalai Nambi

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to direct the second respondent, the Inspector of Police, Thedir Nagar Police Station, Madurai City, to give necessary police protection to the life of the petitioner as and when required by the petitioner on the basis of his complaint dated 06.02.2019.

For Petitioner : Mrs.S.Prabha

For R-1 & R-2 : Mr.V.Neelakandan

Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking a direction to the second respondent, the Inspector of Police, Thedir Nagar Police Station, Madurai City, to give necessary police protection to the life of the petitioner as and when required by the petitioner on the basis of his complaint dated 06.02.2019.

2.The petitioner submits that the petitioner has purchased the property in Survey No.99 to an extent of 1029 sq. feet by way of a registered sale deed dated 10.06.2011. The petitioner proposed to construct a new building in the property. At that time, the respondents 3 to 6, who are the neighbours, are interfering in the construction work and they are threatening the petitioner. In this regard, the petitioner has given a representation dated 06.02.2019 seeking police protection. Since the same has not been considered



so far, the petitioner is before this Court.

3. The learned Additional Public Prosecutor appearing for the respondents 1 and 2 submitted that earlier, the petitioner's complaint was enquired and the same was closed and a suit in O.S.No.51 of 2019 is pending between the parties and the representation dated 06.02.2019 is also pending before the second respondent police.

4. Heard the learned counsel appearing for the petitioner as well as the learned Additional Public Prosecutor appearing for the respondents 1 and 2.

5. Considering the facts and circumstances of the case, this Court directs the petitioner to approach the first respondent herein and give a fresh complaint/representation before him within a period of one week from the date of receipt of a copy of this order. On receiving his complaint/ representation, the first respondent shall enquire the petitioner as well as the respondents 3 to 6 by taking note of the materials produced by them, if any, and take a decision on the same within a period of four weeks thereafter.

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

Sd/-

Assistant Registrar (CS-I)

// True Copy //

Sub Assistant Registrar (CS)

CM
To

1. The Commissioner of Police,
Madurai City, Madurai.

2. State rep. by the Inspector of Police,
Thidir Nagar Police Station, Madurai City.

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

+1CC TO MR.S.PRABHA, Advocate Sr. No. 48816

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