



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.03.2019

CORAM:

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

Crl.O.P.(MD)No.4024 of 2019

Fakir Maideen

: Petitioner

Vs.

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

2.The Inspector of Police,
Tallakulam Police Station,
Madurai District.

3.Somasundaram

4.Mathankumar

: Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C to direct the respondents 1 and 2 to provide adequate police protection to the life and limb of the petitioner and his family members by considering his written representation dated 07.03.2019.

For Petitioner : Mr.S.Senthilkumar
For R-1 & R-2 : Mr.V.Neelakandan
Additional Public Prosecutor

ORDER

This petition is filed to direct the respondents 1 and 2 to provide adequate police protection to the life and limb of the petitioner and his family members by considering his written representation dated 07.03.2019. The petitioner herein is stated to be arrayed as the first defendant in O.S.No.146 of 2017 preferred by the third respondent. The suit is laid for bare injunction.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents 1 & 2.

3. The learned counsel appearing for the petitioner submits that even as a suit is pending, the respondents and their men have assaulted.



4. The learned Additional Public Prosecutor submitted that a complaint / representation was preferred by the petitioner, that was enquired into and both the petitioner and the private respondents appeared and agreed to abide by the judgment of the Court below.

5. The statement of the learned Additional Public Prosecutor is recorded. It reflects that there may not be any present threat to the petitioner's life, limb and liberty immediately. If however there is any real threat perception exists, the petitioner shall approach the second respondent. The second respondent is also directed to enquire into the matter of the complaint filed by the petitioner and take such appropriate decision as may be necessary to protect the life, limb and liberty of the petitioner.

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

7. It is made clear that this Court does not order granting of police protection (24 x 7) and the second respondent is left to decide on the basis of the objective assessment of the threat perception of the petitioner from time to time.

Sd/-

Assistant Registrar (CO)

/ True Copy /

Sub Assistant Registrar(CS)

To

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

2.The Inspector of Police,
Tallakulam Police Station, Madurai District.

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

CrI.O.P.(MD)No.4024 of 2019
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ES/DS/06.05.2019/2P/4C