



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.03.2019

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE N.SESHASAYEE

Cr1.O.P.[MD]No.4271 of 2019

S.Kalaiarasan

... Petitioner

Vs.

1.The Superintendent of Police,
Office of the Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.

2.The Inspector of Police,
B-1, Ramanathapuram Town Police Station,
Ramanathapuram,
Ramanathapuram District.

... Respondents 1 & 2

3.T.Valarmathi

4.M.Ramachandran

5.M.Thangavelu

6.M.Kalaiselvam

7.M.Murugasamy

8.M.Govindaraj

... Respondents 3 to 8

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the respondents No. 1 & 2 Police to afford adequate and effective police protection to the petitioner and his family members from the illegal attacks, obstruction and life threats from the respondents 3 to 8 herein and their men.

For Petitioner : Mr.R.R.Thamotherraj

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

ORDER

The present petitioner seeks protection to his life, limb, liberty and right to his property from the respondents 3 to 8.

2. The learned counsel appearing for the petitioner submitted that earlier, the petitioner had filed O.S.No.29 of 2011 against the respondents 3 to 8 and others and that came to be decreed in his favour on 23.08.2018. Till date, no appeal is preferred against it.

3. Earlier, the petitioner approached the police accusing the respondents of abusing and assaulting him and based on the said complaint, a case in Crime No.175 of 2018 came to be registered by the second respondent police for an offence under Sections 147, 323, 324, 294(b) and 506(ii) IPC. He now complains that his right to property secured by the decree in O.S.No.29 of 2011 is now in peril.

4. The learned Additional Public Prosecutor appearing for the respondents 1 and 2 added that the complaint preferred by the petitioner was enquired and closed.

5. The main allegation of the petitioner is that his life, limb, liberty and right to property is under threat and it is necessary the same has to be protected by the second respondent. Therefore, the petitioner is now directed to prefer a fresh representation / complaint to the second respondent, who shall cause such necessary enquiry on the same and in the enquiry if the second respondent finds that there is real apprehension of threat, the second respondent is directed to take appropriate decision to provide police protection to the life and liberty of the petitioner.

5. With the above direction, this criminal original petition is disposed of.

Sd/-

Assistant Registrar()

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Office of the Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.
2. The Inspector of Police,
B-1, Ramanathapuram Town Police Station,
Ramanathapuram, Ramanathapuram District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.R.R.THAMOTHAR RAJ, Advocate (SR-55593[F] dated 21/03/2019)

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