



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.04.2019

CORAM :

THE HONOURABLE MR.JUSTICE N.SESHASAYEE

Cr1.O.P.(MD)No.5869 of 2019

M.K.Suppurayal

... Petitioner

/Vs./

1.The Superintendent of Police,
Theni District, Theni.

2.The Inspector of Police,
Bodinayakanur Town Police Station,
Bodinayakanur , Theni District.

3.Abdul Pari

... Respondents

Prayer: Petition - filed under Section 482 of the Criminal Procedure Code, to direct the 1st respondent directing the 2nd respondent to provide adequate police protection to the life and limb of the petitioner and the petitioner hotel namely "Saravana Bhavan" at Door No.12-1-63, Opposite Bus stop, Bodinayakanur.

For Petitioner

: Mr.M.Kaliraj

For R-1 & R-2

: Mr.V.Neelkandan

Additional Public Prosecutor

ORDER

This petition is filed to direct the 1st respondent directing the 2nd respondent to provide adequate police protection to the life and limb of the petitioner and the petitioner hotel namely "Saravana Bhavan" at Door No.12-1-63, Opposite Bus stop, Bodinayakanur.

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

3. The learned counsel appearing for the petitioner submitted that the petitioner is a tenant of a certain non-residential property where he runs a restaurant. While so, the third respondent is said to have fabricated some deed of conveyance in his favour, as if he has become the owner of the premises and attempted to forcibly evict the petitioner. This has resulted the petitioner preferring a complaint against the third respondent, based on which, earlier, a case in Crime No.627 of 2017 came to be registered against him for the offences under Sections 143, 448, 380, 294 (b) and 506(i) IPC.



The investigation in this case is completed and the final report has been laid. Now the third respondent is holding out life threat to the petitioner. A complaint dated 28.03.2019 against the third respondent was preferred to the respondent police, but no action is yet to be taken of.

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4. The learned Additional Public Prosecutor submitted that the complaint has been received and it is being enquired into.

5. Inasmuch as the complaint of the petitioner is pending, the the second respondent is directed to cause such necessary enquiry on 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. 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.

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

Sd/-

Assistant Registrar

/ True Copy /

Sub Assistant Registrar(CS)

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To

1.The Superintendent of Police,
Theni District, Theni.

2.The Inspector of Police,
Bodinayakanur Town Police Station,
Bodinayakanur , Theni District.

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

+1 CC to M/s.M.KALIRAJ, Advocate (SR-62595[F] dated 25/04/2019)

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ES/13.05.2019/2P/5C