



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **26.04.2019**

CORAM:

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

CrI.O.P.[MD]No.6140 of 2019

Karthick

: Petitioner

/Vs./

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

2.The Inspector of Police,
Thogaimalai Police Station, Karur District.

3.The Inspector of Police,
District Crime Branch, Karur, Karur District.

4.Thirunavukkarasu

5.Muthulakshmi

: Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C., to issue direction to the third respondent to give police protection to the petitioner life and limb from the hands of the respondents 4 and 5.

For Petitioner

: Mr.R.Murugappan

For R-1 to R-3

: Mr.V.Neelakandan

Additional Public Prosecutor

ORDER

This petition is filed to direct the third respondent to give police protection to the petitioner life and limb from the hands of the respondents 4 and 5.

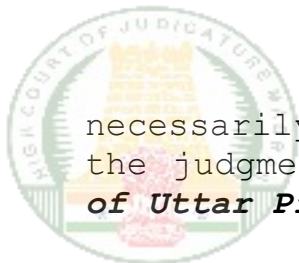
2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor.

3. The learned counsel appearing for the petitioner submits that the petitioner is a licensee of a petrol bunk, the fourth respondent was his former employee, who has swindled nearly Rupees 35 lakhs, that he faces threat to his life, limb and liberty at the hands of the fourth respondent and his wife, the fifth respondent herein. He added that although the petitioner has preferred a complaint as regards the swindling of cash by the fourth respondent, no FIR is registered yet.

4. The learned Additional Public Prosecutor submitted that the respondent police is now in the process of holding a preliminary enquiry on the complaint preferred by the petitioner.

<https://hcservices.ecourts.gov.in/hcservices/>

5. The Investigating Agency is reminded that if the complaint discloses *prima facie* commission of any cognizable offence,



necessarily the investigating Agency should follow the principles in the judgment reported in the case of **Lalitha Kumari Vs. Government of Uttar Pradesh** [2013 (6) CTC 353].

6. Having stated thus, so far as the present petition is concerned, if the third respondent senses any threat to the petitioner's life, limb and liberty, he 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 third respondent is left to decide on the basis of the objective assessment of the threat perception of the petitioner from time to time.

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

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar(CS)

To

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

2.The Inspector of Police,
Thogaimalai Police Station, Karur District.

3.The Inspector of Police,
District Crime Branch, Karur, Karur District.

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

+1 CC to Mr.R.MURUGAPPAN, Advocate SR-63218.

Cr1.O.P. [MD]No.6140 of 2019
26.04.2019

CS: (11/06/2019) 2P 6C