



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **18.12.2019**

CORAM:

THE HONOURABLE MR.JUSTICE **A.D.JAGADISH CHANDIRA**
Crl.O.P. [MD] .No.18257 of 2019

WEB COPY

K.Premnath

: Petitioner

Vs.

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

2.The Deputy Superintendent of Police,
Srivaikuntam,
Thoothukudi District.

3.The Inspector of Police,
Srivaikuntam Police Station,
Thoothukudi District.

: Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to issue a direction restraining respondents 2 and 3 from illegally preventing the petitioner from entering his village where he has his permanent residence.

For Petitioner : Mr.I.Robert Chandrakumar

For Respondents : Mr.S.Chandrasekar

Additional Public Prosecutor

ORDER

The Criminal Original Petition has been filed to issue a direction restraining respondents 2 and 3 from illegally preventing the petitioner from entering his village where he has his permanent residence.

2.The learned counsel appearing for the petitioner would submit that the petitioner is a native of Marthanda Nagar, Srivaikundam Taluk, Tuticorin District and he is the agriculturist in his village. He would further submit that in the recent past several murders connected to caste issue have taken place in Thoothukudi District. In the said circumstances, the respondents 2 and 3 came to the petitioner's house in the month of April 2019 and asked him to leave the village and stay away from there until safety of Scheduled Caste members is ensured in their village and hence, the petitioner had been living at Thoothukudi at his relative house. Now the respondents 2 and 3 are not permitting the petitioner to enter the village.

3.The learned Additional Public Prosecutor would submit that there were murders in the village due to caste rivalry and the petitioner belongs to one particular caste and that the respondents



are apprehending retaliatory incidents in that area, thereby, there is picketing in the village. However, he would submit that the respondents have not prevented the petitioner to enter into the village.

4.At this juncture, the learned counsel appearing for the petitioner would submit that if the police apprehends danger to the petitioner they have to afford adequate protection to him.

5.Recording the submission made by the learned Additional Public Prosecutor, this criminal original petition is closed. It is made clear that it is the duty of the respondents police to ensure safety of the citizens. If the petitioner makes any representation regarding his safety it shall duly considered in accordance with law.

Sd/-

Assistant Registrar (AS)

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Sub Assistant Registrar(CS)

vsg

To

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

2.The Deputy Superintendent of Police,
Srivaikuntam,
Thoothukudi District.

3.The Inspector of Police,
Srivaikuntam Police Station,
Thoothukudi District.

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

+1 CC to M/s.I ROBERT CHANDRAKUMAR, Advocate (SR-105859[F] dated 19/12/2019)

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