

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.09.2020

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Writ Petition No.13794 of 2020

A.Ponkavya

... Petitioner

Vs.

1.The Superintendent of Police
Office of the Superintendent of Police
Erode-638 001.

2.The Inspector of Police
Sivagiri Police Station
Erode-638 109.

3.V.Ayyaswamy

... Respondents

Prayer : Writ petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 1st and 2nd respondents to provide adequate police protection to the lives and liberty based on the petitioner's representation dated 16.09.2020.

For Petitioner : Mr.S.S.Karthikeyan

For Respondents: Mr.S.Karthikeyan

Additional Public Prosecutor
for R1 to 2

O R D E R

The prayer sought for in the present writ petition is to direct the 1st and 2nd respondents to provide adequate police protection to the lives and liberty based on the petitioner's representation dated 16.09.2020.

2.The learned counsel for the petitioner would submit that the petitioner fell in love with one Murali. Due to which, the 3rd respondent herein is being the father of the petitioner threatened her with dire consequences and also threatened the family members of one Murali. Therefore, she left her parental house and lodged a complaint before the 2nd respondent on

16.09.2020. In the meanwhile, the 3rd respondent/father of the petitioner lodged a complaint before the 2nd respondent and the same was registered in Crime No.247 of 2020, under "women missing". Thereafter, the petitioner herself surrendered before the Judicial Magistrate, Kodumudi, Erode, on 25.09.2020 and her statement was recorded. Now, the petitioner is set to free and residing at Karur. Therefore, she sought for police protection from the hands of the 3rd respondent herein.

3.The learned Additional Public Prosecutor would submit that on the complaint lodged by the 3rd respondent herein, the respondent police registered the case in Crime No.247 of 2020, under "women missing". Thereafter the petitioner herself surrendered before the Judicial Magistrate, Kodumudi, Erode on 25.09.2020 and she is now residing in the address mentioned in the petition. Therefore, the 2nd respondent has no jurisdiction to provide police protection to the petitioner from the hands of the 3rd respondent herein. Further, the 2nd respondent police also advised the 3rd respondent not to disturb the love affair of the petitioner.

4.Considering the above submission, the petitioner is hereby directed to lodge a fresh complaint before the jurisdiction police station, if any threat made by the 3rd respondent herein. If any complaint is lodged by the petitioner, the jurisdiction police is directed to consider the same and pass orders on merits and in accordance with law.

5.With the above direction, the Writ Petition is disposed of. No costs.

-s/d-
Assistant Registrar

True Copy
Sub-Assistant Registrar

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To

1.The Superintendent of Police
Office of the Superintendent of Police
Erode-638 001.

2.The Inspector of Police
Sivagiri Police Station
Erode-638 109.

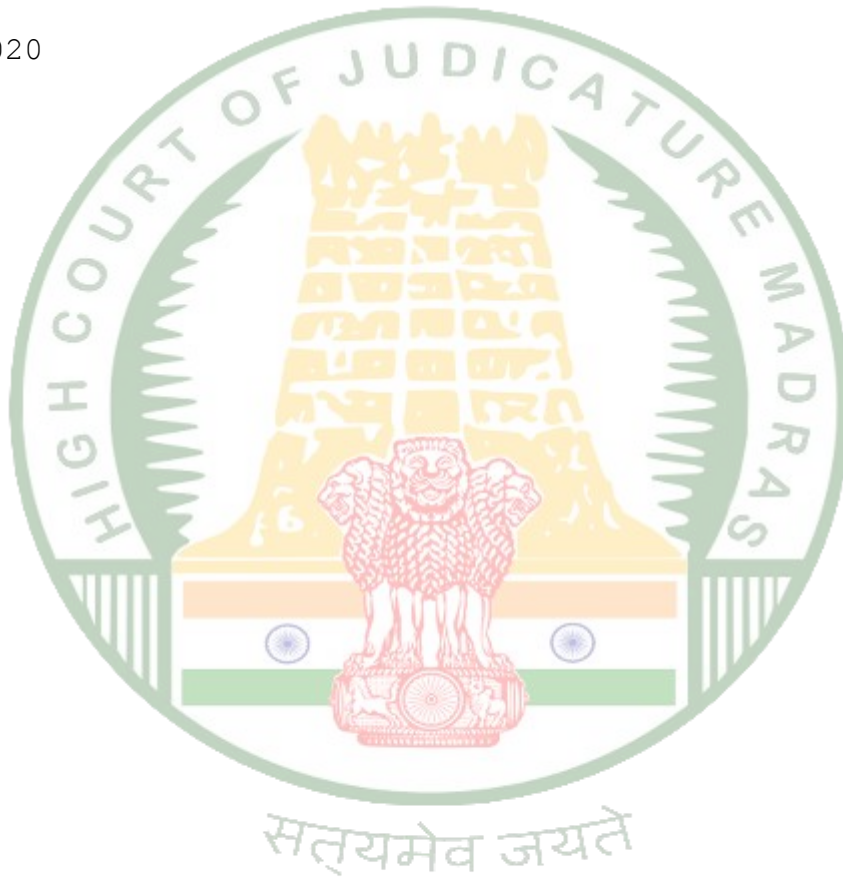
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3.The Public Prosecutor
High Court of Madras.

+2 ccs to Mr.S.S.Karthikeyan for M/s.Jury Brain
law officers Advocate sr32055

Writ Petition No.13794 of 2020

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