

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 16.10.2020

Coram

THE HONOURABLE MR.JUSTICE R.PONGIAPPAN

Crl.O.P.No.26055 of 2019

Mahendran Samuel

... Petitioner

-vs

1. The Deputy Commissioner of Police,
J2-Adayar Police station building,
Adyar,
Chennai - 600 020.

2. The Inspector of Police,
J8-Neelankarai Police Station,
Chennai - 600 115.

3. K.D.A. Prabhakar

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code to direct the 2nd respondent to grant police protection to the petitioner and his mentioned property in accordance with law based on the complaint given on 07.09.2019 to the 2nd respondent.

For Petitioner : Mr.M.Jaikumar

For Respondents : Mr.S.Karthikeyan,
Additional Public Prosecutor for R1 & R2
No appearance for R3

ORDER

(This case has been heard through video conference)

This Criminal Original Petition has been filed seeking for a direction to to direct the second respondent to grant police protection to the life and limb and also to his properties, on the basis of the representation 07.09.2019 given by the petitioner.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondents 1 and 2. Though notice served on the third respondent, there is no appearance on his side.

3. Today, when the petition came up for hearing, the learned Additional Public Prosecutor appearing for the respondents 1 and 2, on instructions, would submit that a representation, dated 07.09.2019 given by the petitioner to the second respondent was considered and thereafter, FIR has been registered in Crime No.616 of 2019 under Section 145 CRPC and forwarded to the Revenue Divisional Officer for further action. He would further submit that after referring the aforesaid FIR, the Revenue Divisional Officer has not initiated the

Proceedings, as requested by the second respondent. Therefore, it would suffice, if this Court directs the Revenue Divisional Officer, Guindy to initiate appropriate Proceedings with regard to Crime No.616 of 2019 under Section 145 CRPC forwarded by the second respondent in accordance with law.

4. Now on considering the rival submissions made by the learned counsel appearing on either side, it is made clear that the representation given by the petitioner has been considered by the second respondent. In such view, it would not be necessary to provide separate police protection to the petitioner, since in respect of petition mentioned dispute, the matter has been already referred to the Revenue Divisional Officer, Guindy who is the competent person to decide whether the direction is necessary or not.

5. In such circumstances, this Court is of the view that it would be appropriate to issue a suitable direction to the Revenue Divisional Officer, Guindy to initiate and complete his proceedings, within a time frame. Accordingly, the Revenue Divisional Officer, Guindy is directed to complete the proceedings initiated upon the FIR in Crime No.616 of 2019 under Section

145 CRPC, within a period of two months from the date of receipt of a copy of this order, as requested by the second respondent.

6. With the above directions, this Criminal Original Petition stands closed.

16.10.2020

Index : Yes / No
Internet : Yes / No
vsi2

To

1. The Deputy Commissioner of Police,
J2-Adayar Police station building,
Adyar,
Chennai - 600 020.

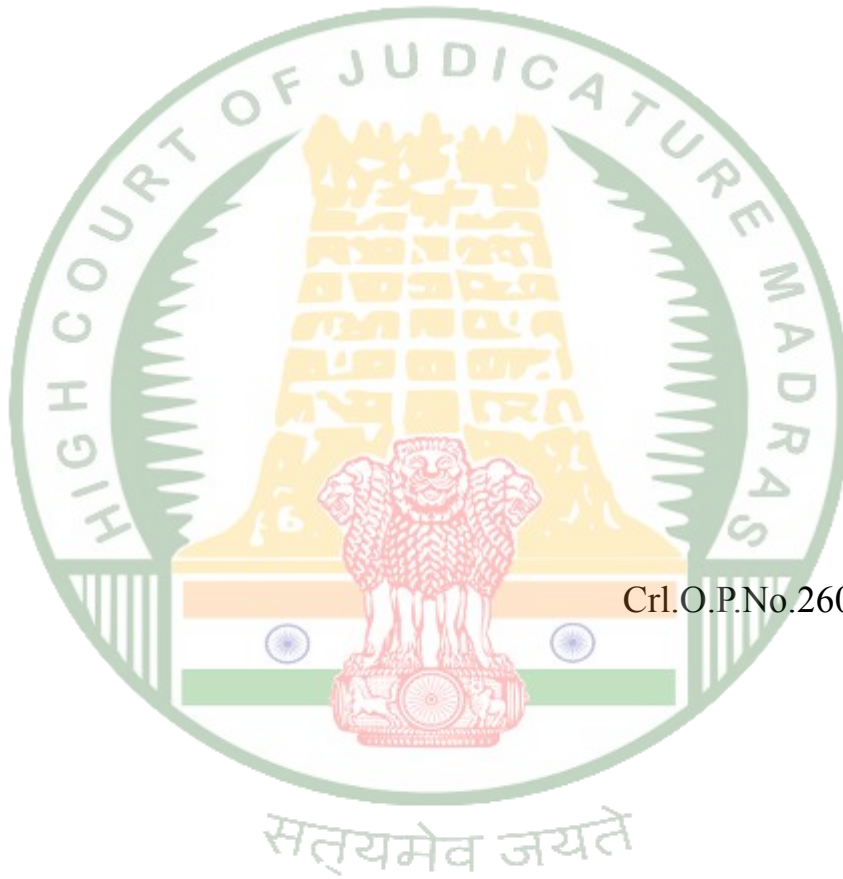
2. The Inspector of Police,
J8-Neelankarai Police Station,
Chennai - 600 115.

3. The Public Prosecutor,
High Court, Chennai.



R.PONGIAPPAN, J.

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