

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.03.2020

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P.No. 26074 of 2019

1. S.Meera @ Retta Fathima
2. S.Vijayaratha
3. S.Manimekalai
4. S.Muthu Selvi

...Petitioner

Vs.

1. The Commissioner of Police,
Chennai Metro City, Vepery,
Chennai - 600 007.

2. The Inspector of Police (L&O),
R-9, Virugambakkam Police Station,
Chennai.

3. Mohammed Akram Basha

...Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to direct the first and second respondents to provide the necessary police protection to the petitioners against the third respondent based on his representation dated 24.09.2019.

For Petitioner : Mr.G.Kartheeban

For Respondents: Mr.M.Mohamed Riyaz

Additional Public Prosecutor for R1 & R2

: Mr.Ashok Menon for R3

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O R D E R

This petition has been filed for a direction to direct the first and second respondents to provide the necessary police protection to the petitioners against the third respondent based on the first petitioner's representation dated 24.09.2019.

2. The learned counsel for the petitioners would submit that the first petitioner is the wife of the third respondent and the third respondent herein is addicted to narcotic drugs and thereby harassed the first petitioner, physically and mentally and immoral nature at the time of wee hours by continuously torturing her and therefore, the first petitioner gave a complaint to the respondents / police seeking for police protection. Since the same was not considered, this petition has been filed seeking for appropriate direction.

3. The learned Additional Public Prosecutor would submit that there is a family dispute between the petitioners and the third respondent and the police cannot give police protection in a case of this nature.

4. Heard MG.Kartheeban, learned Counsel for the petitioner, Mr.M.Mohamed Riyaz, learned Additional Public Prosecutor for the first and second respondents police and Mr.Ashok Menon, learned counsel for the third respondent.

5. The petitioners have to file an appropriate petition before the Court below and initiate contempt proceedings. It is also possible for the petitioners to seek for police protection before the Court below, by filing an appropriate petition under Section 151 of Cr.P.C. The petitioners cannot maintain an independent petition before this Court seeking for police protection. The police cannot interfere in this case, unless, a specific direction is given by a competent Civil Court.

6. In view of the above, this Criminal Original Petition is disposed of, by giving liberty to the petitioners to workout their remedy before the Court below in the manner indicated herein above.

Sd/-

Assistant Registrar

//True Copy//सत्यमेव जयते

Sub Assistant Registrar

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To

1. The Commissioner of Police,
Chennai Metro City, Vepery,
Chennai - 600 007.

2. The Inspector of Police (L&O),

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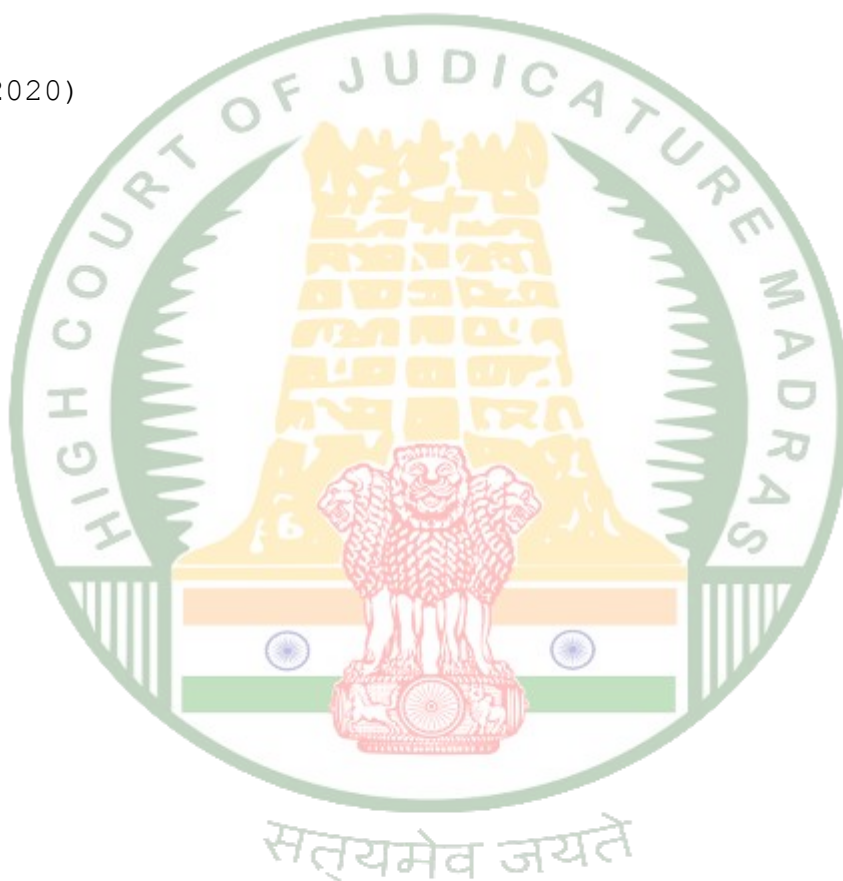
R-9, Virugambakkam Police Station,
Chennai.

3. The Public Prosecutor,
High Court,
Madras.

+2 cc to Mr.Ashok Menon, Advocate, S.R.No.19575

CRL.O.P.No. 26074 of 2019

BR(CO)
RN(26/05/2020)



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