



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.01.2020

CORAM:

THE HONOURABLE **MR. JUSTICE A.D. JAGADISH CHANDIRA**

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Crl.O.P.(MD)Nos.646, 647 and 648 of 2020

B.Radha : Petitioner in Crl.O.P(MD)No.646 of 2020
Stella : Petitioner in Crl.O.P(MD)No.647 of 2020
Manjari : Petitioner in Crl.O.P(MD)No.648 of 2020

Vs.

1.The Inspector General of Police,
South zone, Madurai.

2.The Superintendent of Police,
Sivagangai District.

3.The Inspector of Police,
Sivagangai Town Police Station,
Sivagangai District.

: Respondents in all Petitions

COMMON PRAYER: Criminal Original Petitions filed under Section 482 Cr.P.C., to direct the respondents to provide adequate police protection for their to cast their vote in the election for the post of Chairman, Sivagangai District Panchayat to be held on 11.01.2020 at 10.00 a.m in the premises of Collectorate campus, Sivagangai District and for their life and limb of the petitioner during such election.

In all petitions:

For Petitioners : Mr.T.Lenin kumar
For Respondents : Mr.S.Chandrasekar,
Additional Public Prosecutor

COMMON ORDER

These three criminal original petitions have been filed seeking a direction to the respondents to provide adequate police protection for them to cast their vote in the election for the post of Chairman, Sivagangai District Panchayat to be held on 11.01.2020 at 10.00 a.m in the premises of Collectorate campus, Sivagangai District and for the life and limb of the petitioner during such election.

2.The petitioners are elected ward members of the Sivagangai District Panchayat at Ward Nos.5, 9 and 4 respectively and they have



been issued with the certificates by the Election Commission on 06.01.2020. The petitioners belong to the DMK alliance in Sivagangai District. In the said District, there are 16 ward member posts and DMK had succeeded in 8 wards and ADMK had succeeded in remaining 8 wards. The election for the post of Chairman of Sivagangai District Panchayat is to be held on 11.01.2020 at the District Collector campus, Sivagangai. Since both the parties have equal strength, the petitioners have been threatened by the persons belonging to ADMK party to vote in favour of the ADMK candidate. Therefore, apprehending risk to their life and limb, the petitioners have made a representation to the respondents on 09.01.2020 seeking for police protection to cast their votes. Since no action has been taken by the respondents, they have approached this Court by way of the present petitions.

3.Learned counsel appearing for the petitioners would submit that apprehending threat and pressure from the supporters belonging to the ADMK party, the petitioners have approached this Court. He would further submit that if only a direction is given to the respondents to give police protection and their safety is ensured they will be able to exercise their vote without any fear during the election to be held on 11.01.2020 at 10.00 a.m. He would further submit that the petitioners are prepared to appear before any senior police officer and thereby would pray that a direction may be issued to the concerned officer to give adequate police protection to them.

4.When the matter had come in the forenoon, this Court had directed the learned Additional Public Prosecutor to get instructions from the Superior Officers. The learned Additional Public Prosecutor, on instructions from Thiru.V.Mohan, Inspector of Police, Sivagangai Town Police Station, would submit that if the petitioners are prepared to appear either before the Superintendent of Police, Sivagangai or the Superintendent of Police Madurai Rural, they would be able to arrange to provide necessary protection to them.

5.At this juncture, the learned counsel for the petitioners would submit that the petitioners are prepared to appear before the Superintendent of Police, Madurai Rural and that a suitable direction may be issued to him to give protection to them till the election is over. He would further submit that the petitioners will appear before the Superintendent of Police, Madurai Rural at 07.30 a.m on 11.01.2020 along with their counsel.

6.In view of the same, the petitioners are directed to appear before the District Police Office, Madurai at 07.30 a.m on 11.01.2020 along with their counsel. The Superintendent of Police, Madurai Rural shall depute adequate police personnel to give protection to the petitioners till they cast their votes at the



Office of the District Collector, Sivagangai.

With the above directions, these Criminal Original Petitions are disposed of.

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Sd/-

Assistant Registrar(CS-II)

// True Copy //

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Sub Assistant Registrar(CS)

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To

- 1.The Inspector General of Police,
South zone, Madurai.
- 2.The Superintendent of Police,
Sivagangai District.
- 3.The Inspector of Police,
Sivagangai Town Police Station,
Sivagangai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
5. The Superintendent of Police,
Madurai Rural.

+1 CC to M/s.T.LENIN KUMAR, Advocate (SR-1517[F] dated 10/01/2020)

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scr(CO)

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