



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED:25.09.2020

CORAM:

THE HONOURABLE MR.JUSTICE **R.PONGIAPPAN**

CrI.O.P. (MD)No.10358 of 2020

WEB COPY

M.B.Sankar

... Petitioner

Vs.

1.The Commissioner of Police,
Madurai City.

2.The Inspector of Police,
Thallakulam Police Station,
Madurai City.

3.Karanthamalai Kannan

4.Bomminathan

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Cr.P.C, to direct the respondents 1 and 2 to give necessary police protection to the life and limb of the petitioner by considering the petitioner's representation dated 10.03.2020 within the period that may be stipulated by this Court.

For Petitioner	: Mr.R.Gandhi
For R-1 and R-2	: Mr.R.Erottuchamy
	Government Advocate (Criminal side)

O R D E R

This criminal original petition has been filed seeking a direction to direct the respondents 1 and 2 to give necessary police protection to the petitioner's life and limb by considering the representation, dated 10.03.2020, given by the petitioner.

2.Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal side) appearing for the respondents 1 and 2.

3.Today, when the petition is taken up for hearing, the learned Government Advocate (Criminal side) appearing for the respondents 1 and 2, on instructions, would submit that the representation, dated 10.03.2020 given by the petitioner, has been received by the second respondent Police and thereafter, he conducted an enquiry in C.No.235/COP/Camp G/MC/2020 and after due enquiry, the same has been "closed".

4.In respect of the said submission, the learned counsel



appearing for the petitioner would submit that the petitioner herein is not at all called for an enquiry by the second respondent Police and therefore, it cannot be said that the enquiry initiated upon the complaint given by the petitioner has been "closed", after due enquiry.

5. Upon considering the submission made by the learned counsels on either side, in the said representation made by the petitioner dated 10.03.2020, the petitioner has clearly made allegations against the third and fourth respondents as they have made life threat to him. Further, both the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal side) appearing for the respondents 1 and 2 admitted that the third respondent herein is a notorious criminal and therefore, it would be appropriate to pass the following order for redressing the grievance having by the petitioner.

"The petitioner is directed to submit a fresh representation to the second respondent Police within a period of two weeks from the date of receipt of a copy of this order. On receipt of such representation, the second respondent is directed to initiate an enquiry and complete the same, within a period of one month, after giving due opportunity to the petitioner as well as the third and fourth respondents."

6. The Criminal Original Petition stands disposed of, with the above directions.

Sd/-

Assistant Registrar (CS III)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

tsg

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1. The Commissioner of Police,

<https://hcservices.madras.gov.in/Cs/tyes/>



2.The Inspector of Police,
Thallakulam Police Station,
Madurai City.

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

+1 CC to M/s.R. GANDHI, Advocate (SR-18145[F] dated 25/09/2020)

CrI.O.P. (MD) No.10358 of 2020
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(CO)
KK(06.10.2020) 3P 5C