



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.11.2020

CORAM:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

Crl.O.P (MD) No.12449 of 2020

WEB COPY

Mohammed Nizam

... Petitioner

Vs

1. The Commissioner of Police
Trichy City

2. The Inspector of Police
Cantonment Police Station
Trichy

3. S.M.Rex

... Respondents

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to direct the respondents 1 and 2 to take action on the petitioner's complaint dated 20.09.2020 and to provide adequate police protection to the life and limbs of the petitioner and his family members.

For Petitioner : Mr.R.Pon Karthikeyan
For R1 and R2 : Mr.V.Neelakandan,
Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed to direct the respondents 1 and 2 to take action on the petitioner's complaint dated 20.09.2020 and to provide adequate police protection to the life and limbs of the petitioner and his family members.

2.The learned counsel for the petitioner would submit that the petitioner is the tenant and the third respondent is the landlord. Due to the agreement dispute between the third respondent/landlord and petitioner/tenant, the third respondent threatened the petitioner with dire consequences. Hence, the petitioner made a complaint on 08.09.2020 before the second respondent police. But, the second respondent has not even issued CSR receipt and he has not chosen to conduct any enquiry. Therefore, once again, the petitioner made a complaint, dated 20.09.2020 to the respondents 1 and 2 seeking to give police protection. So far, no action has been taken. Hence, the present petition.

3.The learned Additional Public Prosecutor appearing on behalf of the respondents 1 & 2, on instructions, would submit that the

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complaint of the petitioner, dated 20.09.2020, has been received by the respondent police and based on which, enquiry has been initiated in CSR.No.440 of 2020 and it is pending.

4.Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents 1 and 2.

5.Considering the submission made on either side, the respondents 1 and 2 are directed to consider the representation of the petitioner, dated 20.09.2020 and give police protection to the petitioner, if necessary. If it is found that police protection is not necessary, the same shall be communicated to the petitioner so that he can work out his rights in the manner known to law.

6.With the above direction, this criminal original petition is disposed of.

Sd/-

Assistant Registrar (P&A)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

msa

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, Trichy City.
2. The Inspector of Police,
Cantonment Police Station, Trichy.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to Mr.R.PONKARTHILEYAN, Advocate SR-21243.

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