



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.12409 of 2020

Baseer

... Petitioner

Vs

1.The Superintendent of Police
Kanyakumari District
Kanyakumari at Nagercoil

2.The Inspector of Police
Vadaseri Police Station
Kanyakumari District

3.Sherin Banu

4.Mohammed Sabeek

5.Rajesh @ Karate Rajesh

... Respondents

PRAYER: Petition filed under Section 482 of Code of Criminal Procedure, to direct the respondent Nos. 1 and 2 to give police protection to the life and limb of the petitioner.

For Petitioner : Mr.R.Maheswaran

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 respondent Nos. 1 and 2 to give police protection to the life and limb of the petitioner.

2. The learned counsel for the petitioner would submit that the petitioner and the third respondent are husband and wife. There was a misunderstanding between them and at the instigation of the third respondent, respondents 4 and 5 along with their henchmen trespassed into the petitioner's house and attacked the petitioner. Thereafter, the third respondent left her matrimonial home. He further submitted that the respondents 4 and 5 caused a serious life threat to the petitioner and also threatened him that they will kidnap his son. Hence, the petitioner made a representation dated 26.10.2020 to the respondents 1 and 2 for giving police protection. But, so far no action has been taken by the respondent police. Hence, the petitioner is before this Court.

3.The learned Additional Public Prosecutor appearing on behalf of the respondents 1 & 2, on instructions, would submit that the complaint of the petitioner, dated 26.10.2020, has been received



by the respondent police and based on which, enquiry has been initiated in CSR.No.646 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 26.10.2020 and give police protection to the petitioner, if necessary. If it is found that police protection is not necessary, the petitioner's representation shall be rejected and 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 (CS III)

// 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 Superintendent of Police
Kanyakumari District
Kanyakumari at Nagercoil
- 2.The Inspector of Police
Vadaseri Police Station
Kanyakumari District
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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NA (CO)

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