



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.12.2020

CORAM :

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

Crl.O.P.(MD)No.13617 of 2020

Arul

... Petitioner

vs.

1)The Superintendent of Police,
Office of the Superintendent of Police,
Trichy City.

2)The Inspector of Police,
Thiruverumbur Police Station,
Trichy City.

3)Mani

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the respondents 1 and 2 herein to provide adequate police protection to the petitioner and his property on the basis of his representation dated 04.08.2020 and 11.08.2020.

For Petitioner : Mr.B.Jameel Arasu

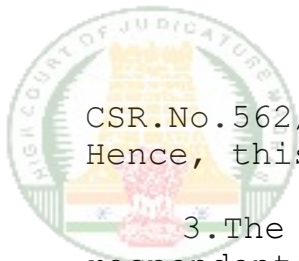
For R1 & R2 : Mr.V.Neelakandan

Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed to direct the respondents 1 and 2 herein to provide adequate police protection to the petitioner and his property on the basis of his representation dated 04.08.2020 and 11.08.2020.

2.The learned counsel for the petitioner would state that one T.Jeyaraj is the absolute owner of the property in S.No.266/1 situated in Keelakurichi Village, Thiruverumbur Taluk, Trichy District. The said Jeyaraj got the above property by virtue of the sale deed executed pursuant to the decree passed in the specific performance suit filed by him against the 3rd respondent in O.S.No.267/2008 and the subsequent order passed in E.P.No.332/2009. Thereafter, the said Jeyaraj has executed a registered power of attorney in favour of the petitioner vide document No.930/2010. In view of execution of sale deed pursuant to the EP order, the 3rd respondent who had developed ill-will and grudge towards Jeyaraj, trespassed into the said property and made threat to the life and limb of the petitioner. Narrating the above, the petitioner has lodged a complaint to the 2nd respondent/Police on 04.08.2020, to take action and to provide police protection. Though CSRNo.528/2020 was issued, the Police did not take any action. Since the 3rd respondent again made threat to the life and limb of the petitioner and demanded dispossession from the property, the petitioner once again made a representation dated 11.08.2020, for which,



CSR.No.562/2020 has been issued, but no action has been taken. Hence, this petition.

3.The learned Additional Public Prosecutor would state that the respondents 1 to 3 will consider and dispose of the petitioner's representations dated 04.08.2020 and 11.08.2020 within a time frame to be fixed by this Court.

4.Heard the learned counsel for the petitioner as well as the learned Additional Public Prosecutor. In view of the order going to be passed, notice to the 3rd respondent is not necessary.

5.Recording the above submission made by the learned Additional Public Prosecutor, without going into the merits of the case, the respondents 1 and 2 are directed to consider and pass orders on the petitioner's representations dated 04.08.2020 and 11.08.2020 after giving opportunity to the 3rd respondent by following the guidelines laid down by the Hon'ble Apex Court in ***D.K.Basu Vs. State of West Bengal reported in AIR (1997) SC 610*** and if it is found that police protection is necessary, the same may be given to the petitioner. The said exercise shall be completed within a period of two weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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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,
Office of the Superintendent of Police,
Trichy City.



2)The Inspector of Police,
Thiruverumbur Police Station,
Trichy City.

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

ORDER MADE IN
CrI.O.P.(MD)No.13617 of 2020
DATED : 02.12.2020

PU(CO)
NR (10/12/2020) 3P : 4C