



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.11.2020

CORAM:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

Crl.O.P (MD)No.12822 of 2020

A.Pandiarajan

... Petitioner

Vs

- 1.The Superintendent of Police
O/o the Superintendent of Police,
Madurai District.
- 2.The Deputy Superintendent of Police,
O/o the Deputy Superintendent of Police,
Othakadai Sub-Division,
Madurai District.
- 3.The Inspector of Police,
O/o the Inspector of Police,
Othakadai Police Station,
Madurai District.
- 4.Pandiammal
- 5.Ramesh Babu
- 6.Abi @ Yuvarani
- 7.Dinesh Babu.

... Respondents

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, directing the respondent No.3 to provide adequate police protection to the petitioner and his life and limb by considering the petitioner's representation dated 02.11.2020.

For Petitioner : Mr.M.Mahendran

For R1 to R3 : Mr.V.Neelakandan,

Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed to direct the respondent No.3 to provide adequate police protection to the petitioner and his life and limb by considering the petitioner's representation dated 02.11.2020.

2. The learned counsel for the petitioner would reiterate the contentions raised in the affidavit.

3.The learned Additional Public Prosecutor appearing on behalf of the respondents 1 to 3, on instructions, would submit that based on the complaint given by the petitioner on 02.11.2020, CSR No.798 of 2020 dated 10.11.2020 has been assigned. The enquiry is pending. He would further submit that the respondent police will



consider and dispose of the petitioner's representation dated 02.11.2020 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 respondents 4 to 7 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 to 3 are directed to consider and pass orders on the petitioner's representation dated 02.11.2020 after giving opportunity to the respondents 4 to 7 by following the principles 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 four weeks from the date of receipt of a copy of this order

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

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

vrn

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
O/o the Superintendent of Police,
Madurai District.
2. The Deputy Superintendent of Police,
O/o the Deputy Superintendent of Police,
Othakadai Sub-Division,
Madurai District.
3. The Inspector of Police,
O/o the Inspector of Police,
Othakadai Police Station,
Madurai District.



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

Crl.O.P (MD) No.12822 of 2020
11.11.2020

VM(CO)

KB(10.12.2020) 3P 5C