



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.11.2020

CORAM:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

Cr1.O.P(MD)No.13527 of 2020

E.Ramanathan

... Petitioner

vs.

1)The Superintendent of Police,
Thoothukudi District,
Thoothukudi.

2)The Inspector of Police,
Puliyampatti Police Station,
Thoothukudi District.

3)Mrs.Kanagaletchumi

... Respondents

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, directing the 1st and 2nd respondents to provide adequate police protection to the petitioner and his family members for their life and limb and also the marriage function of the petitioner to be held on 26.11.2020 based on his representation dated 21.11.2020.

For Petitioners

: Mr.G.Thalaimutharasu

For R1 & R2

: Mr.V.Neelakandan

Additional Public Prosecutor

ORDER

The present petition has been filed for directing the 1st and 2nd respondents to provide adequate police protection to the petitioner and his family members for their life and limb and also the marriage function of the petitioner to be held on 26.11.2020 based on his representation dated 21.11.2020.

2.The learned counsel for the petitioner would state that the petitioner was engaged with one Mrs.Sudha D/o. Mr.Pandaram. The marriage was fixed on 26.11.2020. On 13.11.2020, the 3rd respondent/Mrs.Kanagaletchumi, W/o Saravanan came to the petitioner's house with her 6 year old female child accusing the petitioner that he is the father of the said child and demanded Rs.5 lakhs from the petitioner for getting marriage with Ms.Sudha. According to the petitioner, the 3rd respondent threatened the petitioner with dire consequences and therefore, the petitioner's mother had given a complaint to the respondent/Police on 16.11.2010 to take criminal action against the 3rd respondent. Thereafter, just 4 days before the marriage, the said Kanagaletchumi came to the petitioner's house and in front of Puliyampatti Police Station, she threatened the petitioner with dire consequences if he does not pay a sum of Rs.5 Lakhs.



3.He would further state that the 3rd respondent is married to one Saravanan and the petitioner had produced the birth certificate of the child which showed that the parents of the child is the said Saravanan and Mrs.Kanagaletchumi/3rd respondent and only due to the ill intention to grab money, the 3rd respondent made false and frivolous complaint to the 2nd respondent. Since there was a threat of murder in the hands of the 3rd respondent, the petitioner lodged a complaint before the 2nd respondent on 21.11.2020, requesting them to give police protection to him and his family members and also to the family members of Ms.Sudha, but till date, no action was taken. Hence, this petition.

4.The learned Additional Public Prosecutor would state that the respondents 1 and 2 will dispose of the petitioner's representation dated 21.11.2020 within a time frame to be fixed by this Court.

5.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.

6.Considering the facts and circumstances of the case, without going into the merits of the case, the respondents 1 and 2 are directed to consider and pass orders on the petitioner's representation dated 21.11.2020 after giving opportunity to the 3rd respondent 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

With the above direction, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (ADII)

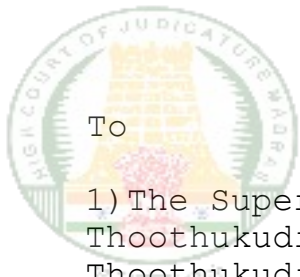
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/ /2020

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.



Cr1.O.P. (MD) No.13527 of 2020

To

1) The Superintendent of Police,
Thoothukudi District,
Thoothukudi.

2) The Inspector of Police,
Puliyampatti Police Station,
Thoothukudi District.

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

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SVN (CO)
KB (14.12.2020) 3P 4C