



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.12.2020

CORAM:

WEB COPY

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

Crl.O.P(MD)No.13749 of 2020

A.P.Sundari

... Petitioner

Vs.

1.The Superintendent of Police,
Madurai District, Madurai.

2.The Inspector of Police,
Law and Order,
Othakadai Police Station,
Madurai District, Madurai.

3.T.Saravana Perumal

4.R.Paramasivam

5.K.Ravindran

... Respondents

Prayer: Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondents 1 and 2 to give adequate police protection to the petitioner's life and limb as against the respondents 3 to 5 as per the petitioner's representation dated 03.11.2020.

For Petitioner : Mr.G.Solai Raja

For Respondents : Mr.V.Neelakandan
Additional Public Prosecutor, for R1 & R2.

O R D E R

This Criminal Original Petition has been filed to direct the respondents 1 and 2 to give adequate police protection to the petitioner's life and limb as against the respondents 3 to 5 as per the petitioner's representation dated 03.11.2020.

2. The learned counsel appearing for the petitioner reiterated the contentions set out in the affidavit. He further submitted that there was some dispute between the petitioner and the respondents 3 to 5. In this regard, the petitioner lodged a



complaint before the second respondent as against the respondents 3 to 5. Due to which, the respondents 1 and 2 harassed the petitioner under the guise of enquiry. Hence, the petitioner filed this present petition.

3.The learned Additional Public Prosecutor appearing for the official respondents, on instructions, would submit that the petitioner was called for an enquiry only and the respondent police has not harassed the petitioner. He further submitted that before enquiry, summon will be issued to the petitioner.

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

5.Whatever might be the circumstances, the respondent police investigate into the matter in accordance with law and the mandates as found set out in ***D.K.Basu Vs.State of West Bengal reported in AIR (1997) SC 610***. If really, the police want to interrogate, it is open for the police to issue summons to the petitioner. Thereupon, the petitioner shall appear before the police and submit himself for interrogation.

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

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

das

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,
Madurai District, Madurai.

2.The Inspector of Police, Law and Order,
Othakadai Police Station,
Madurai District, Madurai.

<https://hcservices.ecourts.gov.in/hcservices/>



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

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ARK (CO)

NR (21/12/2020) 3P : 4C