



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.12.2020

CORAM:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

Crl.O.P(MD)No.14430 of 2020

Ayyappan
S/o.Karuppaiah

... Petitioner

vs.

1)The Deputy Superintendent of Police,
O/o.The Deputy Superintendent of Police,
Sivagangai District.
2)The Inspector of Police,
Thirukosthiyur Police Station,
Sivagangai District.
3)Amsavalli
4)Ayyappan
S/o.Subbaiah

... Respondents

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to direct the respondents 1 and 2 to provide adequate police protection to the life and limb of the petitioner and his family members pursuant to the representation of the petitioner dated 24.07.2020 on the file of the respondents 1 and 2 herein.

For Petitioner : Mr.D.Anbarasu

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

ORDER

This petition has been filed to direct the respondents 1 and 2 to provide adequate police protection to the life and limb of the petitioner and his family members by considering the representation of the petitioner dated 24.07.2020 on the file of the respondents 1 and 2 herein.

2.The learned counsel for the petitioner would state that the petitioner is residing in D.No.108/2, SriSowmiyanarayanapura, Kurunji Nagar, Thiruppathur Taluk, Sivagangai District. The respondents 3 and 4 harassed the petitioner in order to grab his house and in this regard, the petitioner filed a civil suit and the same is pending. While so, on 27.01.2020, the 4th respondent tried to dash the petitioner's vehicle, but the petitioner escaped and lodged a complaint in this regard before the 2nd respondent in CSR.No.37/2020, but no action was taken. Thereafter, on 23.03.2020, the respondents 3 and 4 entered into the house of the petitioner and



abused him in filthy language and also made criminal threat. The petitioner sent representation dated 24.07.2020 to the respondents 1 and 2 seeking police protection, but no action was taken. Hence, this petition.

3.The learned Additional Public Prosecutor would state that the respondents 1 and 2 will consider and pass orders on the petitioner's representation dated 24.07.2020 within a time frame.

4.Heard the learned counsel for the petitioner as well as the learned Additional Public Prosecutor for the respondents 1 and 2. Since no adverse order is going to be passed against the respondents 3 and 4, notice to them is not necessary.

5.Recording the above submission made by the learned Additional Public Prosecutor, without advertting to the merits of the case, the respondents 1 and 2 are directed to consider and pass orders on the petitioner's representation dated 24.07.2020 after giving opportunity to the respondents 3 and 4 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.*** 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 (RTI)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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To

1)The Deputy Superintendent of Police,
O/o.The Deputy Superintendent of Police,
Sivagangai District.

2)The Inspector of Police,
Thirukosthiyur Police Station,
Sivagangai District.



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

+1 CC to M/s.D.ANBARASU, Advocate (SR-26359[F] dated 18/12/2020)

ORDER MADE IN
Crl.O.P(MD)No.14430 of 2020
DATED : 17.12.2020

NA (CO)
NR (28/12/2020) 3P : 5C