



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.12.2020

CORAM:

WEB COPY

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

Crl.O.P (MD) No.14862 of 2020

P.Krishnaveni

... Petitioner

Vs

- 1.The Commissioner of Police,
Office of the Commissioner of Police,
Madurai City,
Madurai District.
- 2.The Assistant Commissioner of Police,
Office of the Assistant Commissioner of Police,
Thirupparankundram,
Madurai.
- 3.The Inspector of Police,
Thirunagar Police Station,
Madurai District.

- 4.Tamilselvi
- 5.Ramkumar
- 6.Mohandass

... Respondents

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, directing the respondent Nos.1 to 3 to give police protection to the petitioner and for her children for their life and limb.

For Petitioner: Mr.R.Babu Jaganath

For R1 to R3 : Mr.V.Neelakandan,
Additional Public Prosecutor(Crl.Side)

O R D E R

This Criminal Original Petition has been filed to direct the respondent Nos.1 to 3 to give police protection to the petitioner and for her children for their life and limb.

2. The learned counsel for the petitioner would submit that the 4th and 5th respondents are the elder sister and younger brother of the petitioner. According to the petitioner, there is a civil dispute among them with regard to the partition of their parents property and a suit in O.S.No.385 of 2019 is also pending before the IV Additional District Judge, Madurai. According to the petitioner,



after her marriage, she was driven by her husband to her parental home. She along with her children are living in her parental home with her parents. After their demise, the respondent Nos.4 & 5 are trying to evict the petitioners from the house. Hence, the petitioner has lodged complaint on various occasions before the 3rd respondent. Even then, no action has been taken by them. Finally, the petitioner has preferred a complaint on 07.12.2020, for giving police protection. So far, no action has been taken by them. Hence, this petition.

3.The learned Additional Public Prosecutor appearing on behalf of the respondents 1 to 3, on instructions, would submit that the petitioner has preferred a complaint against the respondent Nos.4 to 6 and the same has been received and CSR No.366 of 2020 was also assigned and the enquiry is pending.

4.Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor (Crl.side) appearing for the respondents 1 to 3. In view of the order going to be passed, notice to the respondent Nos.4 to 6 is not necessary.

5.Recording the above submission made by the learned Additional Public Prosecutor(Crl.side), without going into the merits of the case, the respondents 1 to 3 are directed to consider and pass orders on the petitioner's complaint dated 07.02.2020 after giving opportunity to the respondent Nos.4 to 6 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 directions, this criminal original petition is disposed of.

Sd/-

Assistant Registrar

// 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.

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



To: -

- 1.The Commissioner of Police,
Office of the Commissioner of Police,
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Madurai District.
- 2.The Assistant Commissioner of Police,
Office of the Assistant Commissioner of Police,
Thirupparankundram,
Madurai.
- 3.The Inspector of Police,
Thirunagar Police Station,
Madurai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P(MD)No.14862 of 2020

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KMV (CO)

NR (30/12/2020) 3P : 5C