



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.12.2020

CORAM:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

Crl.O.P (MD)No.15376 of 2020

P.Chinnakani

... Petitioner

Vs

1.The Superintendent of Police
Kanniyakumari District
Nagercoil

2.The Inspector of Police
Kottar Police Station
Nagercoil
Kanniyakumari District

3.M.Paulraj
President- APPTA Sangam
APPTA Market Complex
Ozhuginaseri, Nagercoil
Kanniyakumari District

4.E.Suthesan
General Secretary -APPTA Sangam
APPTA Market Complex
Ozhuginaseri, Nagercoil
Kanniyakumari District

... Respondents

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to direct the first respondent to instruct the second respondent police to give necessary police protection to the life and limb of petitioner and his business place in Shop No.M-16, situated at Apda Market, Nagercoil, Kanniyakumari District as and when required by the petitioner on the basis of the petitioner's representation dated 11.12.2020.

For Petitioner	: Mr.B.Anandan
For R1 & R2	: Mr.V.Neelakandan, Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed to direct the first respondent to instruct the second respondent police to give necessary police protection to the life and limb of the petitioner and his business place in Shop No.M-16, situated at Apda Market, Nagercoil, Kanniyakumari District as and when required by the petitioner on the basis of his representation dated 11.12.2020.



2. The learned counsel for the petitioner would state that due to some personal vengeance, the respondents 3 and 4 continuously threatened the petitioner to vacate his shop. Hence, the petitioner filed a suit in O.S.No.134 of 2020 before the learned Additional District Munsif, Nagercoil and it is pending. In this circumstance, the respondents 3 and 4 along with their henchmen threatened the petitioner and disturbed his business. Hence, the petitioner made a representation, dated 11.12.2020 seeking for police protection. The grievance of the petitioner is that, till date, no action has been taken by the respondent police. Hence, the present petition.

3.The learned Additional Public Prosecutor appearing for the respondents 1 and 2, on instructions, would submit that based on the complaint given by the petitioner, enquiry has been initiated in C.S.R.No.1093 of 2020 and it is pending. However, he further submitted that the complaint of the petitioner, dated 11.12.2020 will be considered by the respondents/police within a period of four weeks.

4.Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents 1 and 2.

5. Considering the facts and circumstances of the case, the respondents/ police are directed to consider the representation of the petitioner, dated 11.12.2020 by giving opportunity to the respondents 3 and 4 and take appropriate action in the manner known to law, 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 (CO)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

msa

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
Kanniyakumari District
Nagercoil
- 2.The Inspector of Police
Kottar Police Station
Nagercoil
Kanniyakumari District
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

**Crl.O.P (MD) No.15376 of 2020
22.12.2020**

(MK) CO

AP(18/01/2021) 3P 4C