



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.12.2020

CORAM:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

Crl.O.P (MD)No.15597 of 2020

R.Jambulingam

... Petitioner

Vs

State through

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

2.The Deputy Superintendent of Police,
Sivagangai,
Sivagangai District.

3.The Inspector of Police,
Devakottai City Police Station,
Sivagangai District.

4.Anbarasi

5.Karuppaiah

6.Saravanan

... Respondents

PRAYER: Petition filed under Section 482 of Code of Criminal Procedure, to direct the second respondent to give police protection for the petitioner's life and limb on the basis of his representation dated 14.12.2020 in accordance with law.

For Petitioner : Mr.C.Susi Kumar

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 second respondent to give police protection for the petitioner's life and limb on the basis of his representation dated 14.12.2020 in accordance with law.

2. The learned counsel for the petitioners submitted that the petitioner is counting his days. Hence, the decided to settle his property to all his children. But, the fourth and fifth respondents herein, who is the elder daughter and son-in-law of the petitioner herein, threatened the petitioner to settle all his property in their favour. Hence, the petitioner lodged a complaint before the second respondent in CSR No.223 of 2019. Since the petitioner did not accede to the same, they kidnapped the daughter of the petitioner and threatened him. Hence, another complaint in CSR No.298 of 2019 was also made. Since no action has been taken on the above said two complaints, the petitioner submitted a



representation dated 14.12.2020 since there is a serious life threat to the petitioner and his daughter. So far, no action has been taken. Hence, the petition.

3.The learned Additional Public Prosecutor appearing on behalf of the respondents 1 to 3, on instructions, would submit that the complaint of the petitioner has been received by the respondent police and enquiry on the same is pending.

4.Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents 1 to 3.

5.Recording the above submission made by the learned Additional Public Prosecutor, without advertting into the merits of the case, the respondents 1 to 3 are directed to consider and take action on the petitioner's representation dated 14.12.2020 after giving opportunity to the necessary parties 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*** on merits and in accordance with law. 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 (CSIII)

// True Copy //

/ /2021

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, shall be the responsibility of the advocate/litigant concerned.

To: -

1.The Superintendant of Police,
Sivagangai,
Sivagangai District.

2.The Deputy Superintendant of Police,
Sivagangai,
Sivagangai District.

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



3.The Inspector of Police,
Devakottai City Police Station,
Sivagangai District.

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

Crl.O.P (MD) No.15597 of 2020
23/12/2020

MK (CO)
KB (07.01.2021) 3P 5C