



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.15616 of 2020

Rahamathulla Sheit

... Petitioner

Vs

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

2.The Inspector of Police,
North Police Station,
Karaikudi,
Sivagangai District.

3.Shahul Hameed

4.Kajamohaideen

... Respondents

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to direct the respondents 1 and 2 to give necessary police protection to the petitioner, his family members based on the complaint of the petitioner dated 15.12.2020.

For Petitioner : Mr.Mathiyalagan
For R1 and R2 : Mr.V.Neelakandan,
Additional Public Prosecutor(Crl.Side)

O R D E R

This Criminal Original Petition has been filed to direct the respondents 1 and 2 to give necessary police protection to the petitioner, his family members based on the complaint of the petitioner dated 15.12.2020.

2. The learned counsel for the petitioners submitted that the third and fourth respondents trespassed into the house of the petitioner and assaulted him with hands threatening him to vacate the house. Hence the petitioner has lodged a complaint on 30.10.2020 before the second respondent and enquiry on the same is pending. In the meanwhile, the third and fourth respondents waylaid the petitioner on 14.12.2020 and threaten him to change the title of the property. Hence, the petitioner made a representation to the first and second respondents on 15.12.2020. So far, no action has been taken. Hence, the petition.

3.The learned Additional Public Prosecutor appearing on behalf of the respondents 1 and 2, on instructions, would submit



that the complaint of the petitioner has been received by the respondent police and enquiry on the same is pending in CSR No.681 of 2020.

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

5.Recording the above submission made by the learned Additional Public Prosecutor, without advertting into the merits of the case, the respondents 1 and 2 are directed to consider and pass orders on the petitioner's representation dated 15.12.2020 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

// 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 Superintendent of Police,
Sivagangai District,Sivagangai.
- 2.The Inspector of Police,
North Police Station,Karaikudi,Sivagangai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,Madurai.

Crl.O.P(MD)No.15616 of 2020

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