

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 22.04.2021
CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

W.P. No.10004 of 2021

R.Amirtharaja

... Petitioner

Versus

1. The Secretary to Government,
Home Department,
Chennai- 600 009.

2. The Director,
Police Department of Tamil Nadu
Dr.Radhakrishnan Road,
Mayilapur, Chennai - 600 004.

3. The Head of Police,
Police Department of Tamil Nadu,
Dr.Radhakrishnan Road,
Mayilapur, Chennai - 600 004.

4. The Commissioner of Police,
Chennai Metro City,
Vepery, Chennai - 600 007.

5. Mr.Ramesh

6.Mr.Dillibabu

...Respondents

Writ Petition filed under Article 226 Constitution of India, to issue Writ of Mandamus, to direct the first to fourth respondents to consider the petitioner's representation dated 1.04.2021 within a stipulated period and consequently direct the first to fourth respondents to give protection against the sixth respondent who foisted complaint through his investors name list annexed with the petitioner's representation.

For Petitioner : Mr.T.V.G.Kartheeban

For Respondent : Mr. M.Mohammed Riyaz, (for R1 to R4)
Additional Public Prosecutor

ORDER

The petitioner is the accused in Crime No.122 of 2020 for the offence under Sections 406, 420, 465, 468 and 506(i) of IPC, who has filed the present petition seeking police protection.

2.The contention of the petitioner is that he was arrested in the case, later let out on bail. It is his contention that the sixth accused is one of the investors in the petitioner's company, who had forcibly taken signed cheques from him as well as from his wife. Due to threat made by the sixth respondent, the petitioner and his wife have signed the cheques and handed them over to the sixth respondent. Thereafter, he has sent a representation to the respondents no.1 to 4 on 01.04.2021, seeking protection from the sixth respondent. In the representation, the petitioner has stated that he is anticipating false complaint to be given against him by the sixth respondent and 26 investors and seeks police protection.

3.The learned Additional Public Prosecutor (crl.side) appearing for the first to fourth respondent submits that the petitioner was arrested and let out in bail in Crime No.122 of 2020 for the offence under Sections 406, 420, 465, 468 and 506 (i) of IPC. He had cheated depositors to the tune of Rs.1,88,00,000/- (Rupees One Crore Eighty Eighty Lakhs only) along with the sixth respondent, who is also one of the accused. Further, he submits that fifth respondent/Ramesh, who is also one of the accused arrested in the case. The role played by other persons in this case is under investigation.

4.It is seen that the petitioner is also one of the accused in Crime No.122 of 2020 and he cannot seek police protection merely on apprehension.

5.Considering the submissions made by the learned Additional Public Prosecutor (crl.side) appearing for the respondents 1 to 4, this Court is of the view that the prayer sought by the petitioner cannot be entertained.

6.In view of the above, this Criminal Original Petition is dismissed.

सत्यमेव जयते

Sd/-

Assistant Registrar (CCC)

//True Copy//

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Sub Assistant Registrar

Klt

To

1. The Secretary to Government,
Home Department,
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2. The Director,
Police Department of Tamil Nadu
Dr.Radhakrishnan Road,
Mayilapur, Chennai - 600 004.

3. The Head of Police,
Police Department of Tamil Nadu,
Dr.Radhakrishnan Road,
Mayilapur, Chennai - 600 004.

4. The Commissioner of Police,
Chennai Metro City,
Vepery, Chennai - 600 007.

5.The Public Prosecutor,
High Court, Madra.

W.P.No.10004 of 2021

SSN(CO)
GN(02/07/2021)



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