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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.08.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.14336 of 2021

R. Banu Raja @ Banumathi

...Petitioner

Versus

1. The Commissioner of Police,
Vepery,
Chennai
2. The Assistant Commissioner of Police
Anna Nagar,
Chennai
3. The Inspector of Police,
K-8, Police Station,
Arumbakkam,
Chennai
4. Kuppusamy

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondents 1 to 3 to provide police protection to the petitioners by considering the petitioner's representation dated 01.05.2021.

For Petitioner : Mr.S. Sarath Chandran

For Respondent : Mr.A.Damodharan,
Government Advocate (Crl.side)
for R1 to R3

ORDER

This petition has been filed to direct the respondent-police to provide police protection to the petitioner.

2. The petitioner had sent a representation dated 01.05.2021 stating that she and her husband went for retrieving her belongings from the rental house. At that time, one



Kuppusamy, who is the owner of house along with her family members, attacked them. Hence, she seeks police protection to retrieve her belongings from her rental house. Since no action has been taken on the same, the present petition has been filed.

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3. The learned counsel for the petitioner would submit that it was a dispute between the landlord and tenant.

4. The learned Government Advocate (Crl. side) appearing for the respondent would submit that on 24.09.2020, the petitioner and her son fought with the counter petitioner, namely, Kuppusamy and his son. In the fit of rage, the petitioner and her son had assaulted the son of said Kuppusamy and pushed him down from the second floor and thereby, caused serious injuries to him. Hence, a case under Section 341, 294(b), 323 and 307, of IPC came to be registered. Thereafter, since the victim died, it was altered into 302 IPC. After the occurrence, petitioner and her son left the place. Now, to wreck vengeance, a false complaint has been lodged, as if her articles were there. In order to justify her defence in the murder case, i.e. there was some dispute in the lease agreement and it was an accident, the present petition has been filed.

5. He would further submit that the household articles of the petitioner were not found in the house of the counter petitioner and it is now kept vacant. the representation has been sent by the petitioner only through post and she may be directed to approach the respondent-police along with the materials to substantiate her claim.

6. Considering the submissions made on either side, the petitioner is directed to appear before the respondent police on 23.08.2021 and 24.08.2021 along with supporting materials.

7. With the above direction, this Criminal Original Petition is disposed of.

s/d-
Assistant Registrar(CS VI)

True Copy

Sub-Assistant Registrar

mrp
To

1. The Commisioner of Police,
Vepery,
Chennai



2. The Assistant Commissioner of Police
Anna Nagar,
Chennai

3. The Inspector of Police,
K-8, Police Station,
Arumbakkam,
Chennai

4. The Public Prosecutor,
High Court, Madras.

CRL.O.P.No.14336 of 2021

RLD (CO)
SP (24/08/2021)