



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.09.2021

CORAM

THE HONOURABLE MR.JUSTICE G.ILANGOVAN

Crl.O.P.(MD).No.3763 of 2021

Shanmugapriya

... Petitioner

Vs.

1.The District Superintendent of Police,
O/o. The District Superintendent of Police,
Virudhunagar District.

2.The Sub-Inspector of Police,
Town Police Station,
Sattur, Virudhunagar District.

3.Suresh
4.Ramasamy @ Ramar
5.Kannan @ Mayakannan
6.Meenachi
7.Ganesh Karthick
8.Pandiyaraj
9.Karthick
10.Thirupathi
11.Veerachinnu
12.Selvakumar @ Selvam

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the respondents No.1 and 2 to provide adequate protection to the life and limb of the petitioner and her daughters, based on the representation dated 13.01.2021.

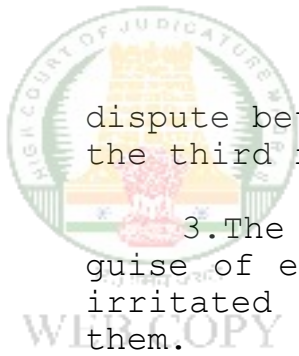
For Petitioner : Mr.M.Ganesan
For Respondents : Mr.R.Meenakshi Sundaram for R1 & R2
Additional Public Prosecutor
Mr.S.Poornachandran for R3

ORDER

(This writ petition is heard through video conference)

This petition has been filed seeking direction to the respondents No.1 and 2 to provide adequate protection to the life and limb of the petitioner and her daughters, based on the representation dated 13.01.2021.

2.After hearing the counsel for the petitioner and the private respondents and on going through the report filed by the learned Additional Public Prosecutor, it is seen that it is a continuous



dispute between the husband and wife. The petitioner is the wife and the third respondent is her husband.

3.The learned counsel for the petitioner submitted that on the guise of enquiry minor children have been harassed and continuously irritated abusive and insulting messages have also been issued to them.

4.The learned Additional Public Prosecutor appearing for the respondents 1 and 2 would submit that on the basis of the complaint given by the petitioner a case in Crime No. 598 of 2020 has been registered for the offences punishable under Sections 147, 148, 294 (b), 323, 324 and 506(i) of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Woman Act, 2002. Now the investigation is underway in the above said crime number and the offences has also been altered under the POCSO Act.

5.But however the counsel for third respondent submitted that during the course of enquiry an anticipatory bail application has been moved by the third respondent and an observation has been made to the effect that the complaint given by the petitioner is totally false one. That things cannot be taken into account in this petition.

6.Since it is a dispute between the husband and wife, unless life threat at the hands of the third respondent is made out, the police protection cannot be granted. Since there is a specific occurrence involving criminal liability, the petitioner is always at liberty to move proper application. Except that no relief can be granted in this petition.

7.With the above said observation and liberty, this petition stands dismissed.

Sd/-

Assistant Registrar (W)

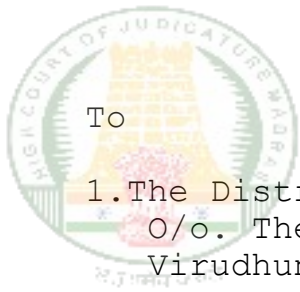
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/ /2021

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 District Superintendent of Police,
O/o. The District Superintendent of Police,
Virudhunagar District.

2.The Sub-Inspector of Police,
Town Police Station,
Sattur, Virudhunagar District.

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

CrI.O.P. (MD) .No.3763 of 2021
29.09.2021

PS (CO) /RS (13.10.2021) 3P 4C