



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Original Jurisdiction)

Friday, the Sixth day of August Two Thousand and Twenty One
PRESENT

The Hon'ble Mr. Justice G.ILANGOVAN
CRL OP(MD). No.8408 of 2021

WEB COPY

Abdul Kalaam Azad

...Petitioner

Vs

1 The Superintendent of Police, Kanyakumari District.

2 The Inspector of Police, Kanyakumari Police Station ,
Kanyakumari District.

3 Janabmaskalam

...Respondents

Prayer :-

Criminal Original Petition is filed under section 482 of Criminal Procedure Code, praying this Hon'ble Court to issue a direction directing the Respondents 1 and 2 herein to provide adequate police protection to the life and limb of the petitioner and his relatives to perform final rites to his deceased mother against the 3rd respondent by considering the representation of the petitioner dated 23.06.2021.

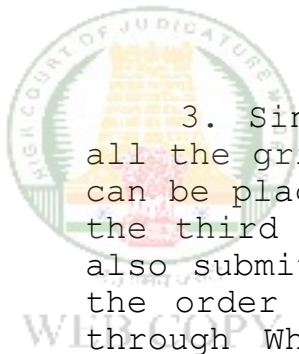
ORDER:-

Criminal Original Petition coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.Arun Swaminathan, Advocate for the Petitioner and of Mr.R.M.Anbunithi, Additional Public Prosecutor On Behalf of the Respondents No.1 and 2 and of Mr.K.N.Guru, Advocate For the 3rd Respondent, this Court made the following order:

By order dated 24.06.2021, the petitioner was permitted to perform the last rituals in the presence of the Deputy Superintendent of Police, Kanyakumari District, Kanyakumari with certain conditions namely in the ritual must be performed by the priest of the petitioner, it must be done between 10.00 a.m to 11.00 p.m on 25.06.2021. Therefore, the matter was ordered to be listed under the caption "for reporting compliance" today.

2. When the matter is taken up for hearing, the learned counsel for the third respondent would submit that so many violations have been committed by the petitioner in carrying out the order passed by this Court. He would further submit that apart from tua, Bayan has also been conducted by the petitioner. Similarly, instead of one priest, more than priests have been brought by the petitioner and they have also used the occasion for spreading their own ideals. To

<https://hcmjts.eemf.gov.in/hcmjts/> has also filed an affidavit.



3. Since the matter is listed for reporting compliance, if at all the grievances that have been expressed by the third respondent, can be placed on record. So, the affidavit of the objection filed by the third respondent before this Court is placed on record. It is also submitted by the learned counsel for the third respondent that the order passed by this Court has been spread to various persons through Whatsapp, Messengers as if this Court has permitted the practice that has been adopted by this petitioner. Such sort of activities should be avoided by the petitioner, suffice to say that no such incident or occurrence or practice should be repeated in future. With these observations, the affidavit of objections filed by the third respondent before this Court is placed on record and, No further order is required in this matter.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

ssb

Note : (i) 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, Kanyakumari District.
- 2 The Inspector of Police, Kanyakumari Police Station , Kanyakumari District.
- 3 The Deputy Superintendent of Police, Kanniyakumari at Nagercoil.
- 4 The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.

Crl.O.P. (MD)No.8408 of 2021
06.08.2021

RK (16.08.2021) 2P 5C