



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.01.2021

CORAM:

THE HONOURABLE MRS.JUSTICE **J.NISHA BANU**

Crl.O.P.(MD)No.15398 of 2020

C.K.Nagarajan

... Petitioner

Vs.

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

2.The Deputy Superintendent of Police,
Karaikudi, Sivagangai District.

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

4.Malaisamy

...Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the 3rd respondent to give adequate police protection to the petitioner and his family members based on the representation dated 03.11.2020.

For Petitioner : Mr.A.C.Ganesan

For R1 to R3 : Mr.V.Neelakandan
Additional Public Prosecutor

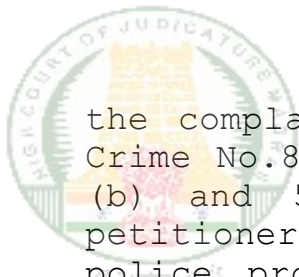
ORDER

This Criminal Original Petition has been filed to direct the 3rd respondent to give adequate police protection to the petitioner and his family members based on the representation dated 03.11.2020.

2.The learned counsel for the petitioner reiterated the averments set forth in the petition.

3.The learned Additional Public Prosecutor appearing for the respondents 1 to 3, on instructions, would submit that based on

<https://hcservices.ecourts.gov.in/hcservices/>



the complaint given by the petitioner, a case was registered in Crime No.865 of 2020 for the offence under Sections 147, 448, 294 (b) and 506(ii) I.P.C against the fourth respondent. The petitioner has sent a second complaint dated 03.11.2020, seeking police protection stating that the fourth respondent and her hooligans continuously threatened the petitioner's peaceful possession over his property. The learned Additional Public Prosecutor would further state that the respondents/police will dispose of the above complaint dated 03.11.2020, within a time frame.

4.Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents 1 to 3/respondent police. Since no adverse order is going to be passed against the fourth respondent, notice to the fourth respondent is not necessary.

5.Considering the facts and circumstances of the case, without advertting to the merits of the case, the respondents 1 to 3 are directed to consider and pass orders on the petitioner's representation dated 03.11.2020 after giving opportunity to the fourth respondent by following the guidelines laid down by the Hon'ble Apex Court in D.K.Basu Vs. State of West Bengal reported in AIR (1997) SC 610. The said exercise shall be completed within a period of four weeks from the date of receipt of a copy of this order.

6.The Criminal Original Petition is disposed of with the above directions.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

gns

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 Deputy Superintendent of Police
Karaikudi
Sivagangai District

3.The Inspector of Police
Karaikudi North Police Station
Sivagangai District

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

Crl.O.P.[MD]No.15398 of 2020
05.01.2021

KM (23.03.2021) 3P 5C