



Crl.O.P.No.17674 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.10.2022

CORAM

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

Crl.O.P.No.17674 of 2022

D. Syed Rohid ... Petitioner

/vs/

1. State, represented by
The Inspector of Police,
Central Crime Branch II, Vepery,
Chennai 600 007.
2. The Assistant Commissioner of Police,
Conventional Crime
Central Crime Branch, Vepery,
Chennai 600 007.
3. The Commissioner of Police,
Avadi Commissionerate,
Chennai.
4. R.Hemnath ... Respondents

Prayer : Criminal Original Petition has been filed under Section 482 of Cr.P.C. to direct the respondent police to give adequate police protection to the petitioner and his family members on the basis of his complaint dated 01.07.2022.



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For Petitioner
For Respondents

... Mr. M.Gnanasekar
... Mr. S. Santhosh
Govt. Advocate (crl.side)
for R1 to R3
Mr.A.Kalaiselvan for R4

ORDER

The petitioner has come up with this Criminal Original Petition seeking a direction to the respondent police to give police protection to the petitioner and his family members on the basis of his complaint dated 01.07.2022.

2. According to the petitioner, he is a Prosecution Witness No.9 in Crime No.4 of 2021 on the file of the 1st respondents police. Originally, a criminal case in Crime No.756 of 2020 was filed against the 4th respondent namely one R.Hemnath on the allegation of cruelty and abetment of suicide met out by his wife viz., Chitra, who committed suicide on 9.2.2020. Later, the said criminal case was transferred to the file of Central Crime Branch-II, Chennai and re-assigned as Crime No.4 of 2021. After investigation, on filing of final report by the 1st respondent, the case was taken on file as S.C.No.124 of 2021 before the learned Sessions Judge,



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Mahila Court, Thiruvallur and the same is now pending trial.

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3. The learned counsel appearing for the petitioner would submit that, pending sessions case and the petitioner being a prosecution witness No.9 in the final report filed in Crime No.4 of 2021, the 4th respondent is now causing criminal intimidation to the life and liberty of the petitioner and his family members, since he assisted the prosecution and deposed his statement against the 4th respondent/accused in Crime No.4 of 2021. With regard to the same, the petitioner lodged a complaint before the 1st respondent police on 1.7.2022 seeking police protection, however the respondent police have not come forward to take any steps to grant police protection, he filed the present petition seeking direction to the respondent police to render adequate police protection and prayed for allowing of the same.

4. In reply, the learned Govt. Advocate (crl.side) appearing for the respondents 1 to 3 submitted that the petitioner gave a complaint against the 4th respondent regarding the threat made by him on 1.7.2022 and the



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same was registered in current case number and on enquiry, as it was found out by the respondent police that there was no such threatening as alleged by the petitioner, the same was closed on 21.09.2022. Thus he prayed for dismissal of this petition.

5. The learned counsel appearing for the 4th respondent submitted that the 4th respondent has not given any criminal intimidation to the petitioner and the allegations given in the complaint against the 4th respondent are false one, thus he prayed for dismissal of this petition.

6. Perusal of records, would reveal that the 1st respondent police registered a case against the 4th respondent in Crime No.4 of 2021 for the offences under sections 306 and 498 A IPC. After investigation, charge sheet was filed and the case was taken on file in S.C.No.124 of 2021 before the learned Sessions Judge, Mahila Court, Thiruvallur. According to the petitioner, he is a witness to the prosecution case and he is facing life threat at the hands of 4th respondent/accused and with regard to the threat, he gave a complaint on 1.7.2022 against the 4th respondent before the



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respondent police seeking police protection.

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7. Considering the facts and circumstances of the case, more particularly, the petitioner was cited as one of the prosecution witnesses in the final report filed in Cr.No.4 of 2021 and he is also facing life threat by the 4th respondent, this Court is inclined to grant police protection to the petitioner. Accordingly, the 2nd respondent, namely, the Assistant Commissioner of Police is directed to provide sufficient police protection to the petitioner .

8. With the above direction, this criminal original petition is disposed of.

10.10.2022

msr

Index:Yes/No

Internet:Yes/No

To

1. The Inspector of Police,
Central Crime Branch II, Vepery,
Chennai 600 007.
2. The Assistant Commissioner of Police,
Conventional Crime
Central Crime Branch, Vepery, Chennai 600 007.



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V.SIVAGNANAM, J.

msr

3. The Commissioner of Police,
Avadi Commissionerate,
Chennai.
4. The Public Prosecutor, High Court, Madras.

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