



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.02.2022

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.(MD) No.4034 of 2022

1. M.Ganesh Damotharan

2. G.Thangapandian

3. M.Mariammal

4. C.Jaya ...Petitioners

Vs.

1. The Superintendent of Police
Tenkasi District
Tenkasi

2. The Deputy Superintendent of Police
Courtalam
Tenkasi District

3. The Inspector of Police
Courtalam Police Station
Courtalam
Tenkasi District

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying this Court to direct the respondents to give adequate police protection to life and limb of the petitioners.

For Petitioner : **(*)Mr.K.Suyambulinga Bharathi,
for Mr.S.Muthukumar**

For R1 to R3 : Mr.R.M.Anbunithi
Additional Public Prosecutor

ORDER

The criminal original petition has been filed seeking a direction to the respondents to provide adequate police protection to the life and limb of the petitioners.



2.The case of the petitioner is that all the petitioners have contested for the post of Councilor of Courtalam Special Grade Town Panchayat, which has been held on 19.02.2022 and all of them were elected and declared as winning candidates for their respective wards in Courtalam Special Grade Town Panchayat. There are totally 8 wards, out of which, all the petitioners have been elected under one political party and they have majority to elect their Chairman and Vice Chairman of Courtalam Special Grade Town Panchayat. Hence, the opposite party threatened the petitioners in order to support their candidates to be elected as Chairman and Vice Chairman of Courtalam Special Grade Town Panchayat. Therefore, the petitioners are seeking police protection to their life and limb at the hands of the opposite party ward members.

3.Mr.R.M.Anbunithi, the learned Additional Public Prosecutor submitted that just now he received the copy of the petition and as such, he could not able to get instructions from the respondent 1 to 3.

4.Heard the learned Counsel appearing for the petitioners and the learned Additional Public Prosecutor appearing for the respondents.

5.It is seen that though all the petitioners have been elected to their respective wards, some of the ward members are supporting other parties and as such some of the members themselves detained other members in their custody not to allow them to support the candidates other than the opposite party candidates to the post of Chairman and Vice Chairman of Courtalam Special Grade Town Panchayat. There are totally four petitioners, in which, all the petitioners were elected as ward Councillors of Courtalam Special Grade Town Panchayat in the local body election, which has been held on 19.02.2022, under one party. Now, all the petitioners are apprehended that the opposite party members threatened them to support their candidates for the post of Chairman and Vice Chairman.

6.Therefore, this Court feels that there is apprehension from the opposite party with regard to the petitioners' personal safety. Though the petitioners lodged complaint before the respondents, they did not take any action on their complaint.

(*)7.In view of the said submission, the respondents 1 and 2 are directed to provide adequate police protection to the petitioners for their life and limb till the election for the Post of Chairman and Vice Chairman of Courtalam Special Grade Town Panchayat, is over. Further, a direction is issued to the first respondent to monitor the election process and ensure that the petitioners are exercising their franchises in a fair and free manner.



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

Sd/-

Assistant Registrar (CS-II)

**(*) Corrected as per the order of this Court
dated 24.03.2022 made in CRL OP(MD).4034 OF 2022**

Sd/-

Assistant Registrar (P & A)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

lr

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

(*) TO BE SUBSTITUTED THE ORDER ALREADY DESPATCHED ON 11.03.2022

1. The Superintendent of Police
Tenkasi District
Tenkasi

2. The Deputy Superintendent of Police
Courtalam
Tenkasi District

3. The Inspector of Police
Courtalam Police Station
Courtalam
Tenkasi District

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

+1 CC to M/s.S.MUTHUKUMAR, Advocate (SR-9277[F] dated 01/03/2022)
Crl.O.P.(MD) No.4034 of 2022
28.02.2022

DKS (CO)

GC (01.03.2022) 3P 6C

TR(25.03.2022) 3P 6C

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