



CRL.O.P (MD) No.16548 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.09.2022

CORAM

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

CRL.O.P (MD) No.16548 of 2022

Thiruneelakandan

...Petitioner

-Vs-

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

2.The Inspector of Police,
Avudaiyarkoil Police Station,
Pudukottai District.

3.Aarthi @ Annalakshmi
4.Dheenadhayalan
5.Diwakar

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the second respondent to provide adequate police protection to the petitioner's life and limb by considering his representation dated 06.09.2022.

For Petitioner : Mr.T.Lenin Kumar

For R1 & R2 : Mr.R.Sureshkumar

Government Advocate (Crl.side)



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ORDER

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This Criminal Original Petition has been filed to direct the second respondent to provide adequate police protection to the petitioner's life and limb by considering his representation, dated 06.09.2022.

2.The learned Counsel for the Petitioner submits that the Petitioner got married 16 years ago. Subsequently, there was a dispute between him and his wife, due to which, the Petitioner started to live with the third respondent. It is the contention of the learned Counsel for the Petitioner that the third respondent's children are the Respondents 4 and 5, through her first husband. Since the Petitioner was living with the third Respondent, she is exploiting the circumstances to obtain Aadhar Card and Birth Certificate of Respondents 4 and 5 by misusing the name of the Petitioner in order to grab the Petitioner's property. Therefore, the Petitioner seeks a direction against the Respondents 1 and 2 to give protection to the life and limb of the Petitioner.

3.The learned Government Advocate (Crl.side) submits that the Petitioner had preferred a complaint before the second respondent, based on



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which, CSR.No.303 of 2022 has been registered and the same is pending.

When CSR is pending, this Court cannot issue any direction to the Respondent Police. It is duty of the Petitioner to co-operate with the enquiry. The Respondent Police are directed to conduct enquiry regarding the complaint given by the Petitioner, after issuing summon to the Petitioner as well as the third Respondent.

4.In view of the above, the prayer sought for by the Petitioner cannot be granted. Accordingly, the Criminal Original Petition is disposed of. The Petitioner is at liberty to work out his remedy before the Civil Court.

27.09.2022

Internet:Yes/No

Index:Yes/No

Rmk

To

- 1.The Superintendent of Police,
Pudukottai District, Pudukottai.
- 2.The Inspector of Police,
Avudaiyarkoil Police Station,
Pudukottai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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SATHI KUMAR SUKUMARA KURUP, J.

Rmk

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