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CrI.O.P(MD)No.18083 of 20



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.12.2022

CORAM :

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

CrI.O.P(MD).No.18083 of 2022

Rangarajan Narasimhan

...Petitioner

Vs.

1.The Director General of Police,
Tamil Nadu Police Department,
Dr.Radhakrishnan Salai,
Mylapore, Chennai - 600 004.

2.The Commissioner of Police,
Trichy.

3.The Inspector of Police,
Session Court Police Station,
Trichy Combined Court Campus,
Trichy.

4.The Inspector of Police,
Srirangam Police Station,
Srirangam, Trichy - 620 006.

...Respondents

(*R4 impleaded vide order dated 09.11.2022)

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C, praying, to direct the first and second Respondents to provide protection to the life and limb of the Petitioner and his family members as requested the representation letter dated 25.04.2022.



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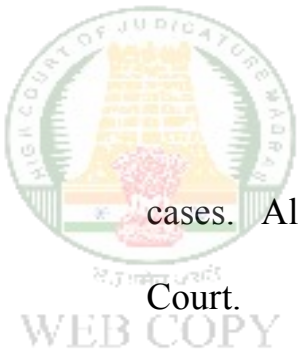
For Petitioner : Mr.Rangarajan Narasimhan
Party-in-person

For Respondents : Mr.T.Senthil Kumar
Government Advocate (Crl.Side)

ORDER

This criminal original petition had been filed seeking a direction to the first and second Respondents to provide protection to the life and limb of the Petitioner and his family members as requested the representation letter dated 25.04.2022.

2.The Petitioner, who appeared as party-in-person, approached this Court by filing this petition under Section 482 Cr.P.C seeking a direction against the respondents that there is life threat to him and his family members from unknown people. Subsequently, on the representation of the learned Additional Public Prosecutor, the Inspector of Police, Srirangam Police Station was also impleaded as fourth Respondent under whose jurisdiction, the Petitioner resides. After impleading the fourth Respondent, the learned Additional Public Prosecutor sought time to file a report regarding the threat perception. On request, the case was posted today i.e., 01.12.2022. Accordingly, the case came up for hearing and the learned Additional Public Prosecutor, on instructions from the Respondents 1 to 4, submits that the Petitioner is facing three criminal



cases. Also, he is facing contempt of Court before the Principal Seat of this Court.

3.Also, the learned Additional Public Prosecutor referring to the typed-set of papers furnished by the Petitioner/Party-in-person stated that while he was driving the car within Trichy City, somebody had crossed the path of the car and threatened the Petitioner. He had furnished those details by way of photos downloaded from the mobile. The Respondents 1 to 4 had enquired into this incident and found that there is a road signal exchange between the motorists. It has nothing to do with the persons identified by the Petitioner through mobile photos and the details taken by the Respondents 2 to 4 are from Mohan and Praveenkumar. One of the persons on the date of enquiry is aboard two persons, who had travelled on their two wheeler are Mohan and Praveenkumar. From the enquiry conducted by the Respondents 2 to 4, it is found that there is no threat perception against the Petitioner.

4.By way of rejoinder, the Petitioner/party-in-person submits that after about a month later, they have enquired those people and the persons, who is already one of the person, who had threatened him and left by that time and they do not know where he is. In this report, Respondent Police are saying



contrary to the statement what he said to them in his complaint. In the other complaint, somebody came to his house and enquired the cleaners (துப்புரவு தொழிலாளர்கள்) and they had not properly enquired them and just closed the complaint. The criminal complaints pending against him are the counter complaints. On 30.01.2022, inside the Srirangam Temple, ten people have attacked him, for which, video footage is available with the Srirangam Police Station. The Police officials in Srirangam Police Station had not taken any steps in his complaint. Firstly, the Petitioner had lodged a complaint regarding the theft and the second complaint was lodged against him as a counter case. Further, he was attacked inside the Trichy Combined Court premises. The Respondent Police are saying that summons were sent through the Professional Courier, which has not delivered the same to his location.

5.The party-in-person is agitating his rights in the various Courts in Tamil Nadu including the Principal Bench as well as Madurai Bench and Courts in Trichy District. While so, it is natural that he is also subjected to litigation from the opponents. At the same time, the submission of the party-in-person is that he was attacked inside the Court premises cannot be tolerated if at all any one is having grievances, it is for them to file either a criminal complaint with the Police or before the Court. They shall not take the law in



their own hands. Since it is occurred in Trichy, the Commissioner of Police, Trichy, has to enquire the same through the sub-ordinates. If there is any lapses found from his sub-ordinates, he shall take appropriate action. Also, the Judicial Officers in the Courts had duty to protect the litigants, accused, witnesses, who appear before their Courts. They cannot remain mute spectators. They are armed with sufficient procedures of law and at their instances, they can summon the police officers and pass appropriate orders. Based on the submission of the party in person before this court in CrI.O.P(MD)No.18082 of 2022, in which, this Court directed the party-in-person to approach the Judicial Magistrate concerned in the light of the ruling of the Division Bench of this Court. Accordingly, he had proceeded. Therefore, this Court does not intend to go into those details. At the same time, what had been expressed by the Petitioner that they have grievances against him by the police officers. Therefore, they remained in-different is found justified in the light of the fact that the Petitioner had been agitating for his own as well as through Public Interest Litigation and the people, who were affected by his Public Interest Litigation cases. Therefore, the enquiry report, which is before this Court is not taken in toto. The Commissioner of Police, Trichy, is directed to take a call and consider the fact that there is threat perception from the fact that he had been threatened by people, who came on two wheeler and



the third person is not before the Investigation Officer who had conducted the enquiry regarding the threat perception. The submission of the learned Additional Public Prosecutor based on instructions of Srirangam Town Police Station, Inspector of Police, that there is no threat perception, cannot be accepted. Since the Inspector of Police had not taken details of the third person, who is alleged to be aboard and in cases of this nature, he/she should have taken full details of the persons also and the party in person had been attacked inside the Court campus. In the light of those instances, the report is not accepted in toto. The Commissioner of Police, Trichy, shall review the same and take appropriate call and if any untoward incident happens either to the Petitioner or to his family members, the Respondents 2 to 4 are personally responsible.

6.In the result, this criminal original petition is closed.

01.12.2022

Index :Yes/No
Internet : Yes/No
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3.The Inspector of Police,
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Srirangam, Trichy - 620 006.

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



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SATHI KUMAR SUKUMARA KURUP, J.

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