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Crl.O.P.No.1691 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.02.2023

CORAM

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.1691 of 2023

B.Ramaswamy

...

Petitioner

-VS-

1.The Commissioner of Police,
Greater Chennai Police,
No.132, Commissioner Office Building,
EVK Sampath Road,
Vepery, Chennai – 600 007.

2.The Assistant Commissioner of Police,
Anna Nagar Range,
Chennai.

3.The Inspector of Police,
JJ Nagar Police Station,
Anna Nagar,
Chennai.

4. Thol.Thirumaavalavan

...

Respondents

Prayer : Criminal Original Petition has been filed under Section 482 of Cr.P.C. directing the respondents 1 to 3 to provide adequate Police Protection to the petitioner and his family member, within the time as specified by this Court.



Crl.O.P.No.1691 of 2023

For Petitioner

... Mr.Isaac Mohanlal Senior
Advocate for
M/s.Isaac Chambers

For Respondents

... Mr.S.Santhosh
Government Advocate (crl.side)

ORDER

This Criminal Original Petition has been filed seeking for a direction the respondents 1 to 3 to provide adequate Police Protection to the petitioner and his family member, within the time as specified by this Court.

2. The learned counsel for the petitioner submitted that the petitioner is an Advocate practising in Supreme Court of India and he is holding various posts namely Core Committee of Adivakta parishad of Supreme Court Unit, State Secretary of Desiya Chinthanai Kazhagam-DCK (Tamil Nadu Unit of All India PrajnaPravah), Columnist & Chief Editorial Member of DesiyaMurasu (English Edition) of DCK of RSS and Co-Convener of RSS Delhi Prant and All India Public Outreach Team. He further submitted that, earlier he filed Crl.O.P.No.29243 of 2022 to register a criminal case against Thiru.Thol.Thirumaavalavan. When that case is pending, on 18.12.2022 at about 8.45 pm, when he was travelling in his



Crl.O.P.No.1691 of 2023

Innova car bearing Registration No. DL 8CAF6313 near Iyyampatty four road Junction, five unidentified persons started attacking his car with iron rods and eggs. As a result, his car suffered damage and then the accused persons escaped from that place. He found flag of Viduthalai Siruthigal Katchi in that place. Thereafter, he gave a complaint in that regard. On the basis of the complaint, First Information Report in Crime No.115 of 2022 was registered for the offences under Sections 143, 147, 341, 427 and 323 of IPC by Salaigramam Police Station and investigation is pending. Apprehending harm from the followers of Viduthalai Siruthaigal Katchi that, they can cause harm to him, he gave representation to the Assistant Commissioner of Police and Inspector of Police, JJ Nagar Police Station on 04.01.2023, seeking police protection. So far, no police protection is given, therefore, he filed this petition.

3. The learned Additional Public Prosecutor (Criminal Side) submitted that petitioner is requesting armed police protection. His request has to be considered on the actual threat perception and the request has to be processed by the Security Committee and only then, orders will be passed.



Crl.O.P.No.1691 of 2023

WEB COPY 4. Considered the rival submissions. Perused the records.

5. It is seen from the submission of the learned counsel for the petitioner that the petitioner is facing threat from Viduthalai Siruthaigal Katchi followers, for the reason that, he is opposing the 4th respondent namely Thiru.Thol.Thirumaavalavan. He also submitted that, on an earlier occasion also, when attack was made against the petitioner, no police protection was given to him, despite submitting requisition for police protection. Even now, not only his car was attacked, but petitioner was also harmed.

6. Considering the submissions of the learned counsel for the petitioner and learned Additional Public Prosecutor that, petitioner's representation dated 04.01.2023 will be considered, in the light of the threat perception and that decision has to be taken by Security Committee for providing Armed police escort, this Court directs the respondents to consider the representation of the petitioner dated 04.01.2023, in the light



Crl.O.P.No.1691 of 2023

of earlier violent incidents that were committed against the petitioner, to the registration of the First Information Report in Crime No.115 of 2022 and pass appropriate orders within a period of four weeks from the date of receipt of a copy of this Order.

7. With the above directions, this Criminal Original Petition is disposed of.

02.02.2023

Index: Yes/No

Internet: Yes/No

Speaking/Non speaking order

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Note: Issue order copy on 03.02.2023.



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Crl.O.P.No.1691 of 2023

G.CHANDRASEKHARAN, J.

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To

- 1.The Principal special Court for trial of SC/ST Act cases, Villupuram
- 2.The Commissioner of Police,
Greater Chennai Police,
No.132, Commissioner Office Building,
EVK Sampath Road,
Vepery, Chennai – 600 007.
- 3.The Assistant Commissioner of Police,
Anna Nagar Range,
Chennai.
- 4.The Inspector of Police,
JJ Nagar Police Station,
Anna Nagar,
Chennai.
- 5.The Public Prosecutor,
High Court, Madras.

Crl.O.P.No.1691 of 2023

02.02.2023