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Crl.OP.No.2028 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.06.2023

CORAM

THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.2028 of 2023

S.Karunakaran

... Petitioner

Vs.

1. The State Rep. By,
The Superintendent of Police,
Chengalpattu District.

2. The Inspector of Police,
Tiruporur Police Station,
Chengalpattu District.

3. Appan @ Appan Rajkumar
Respondents

...

PRAYER: This Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the second respondent herein to provide the police protection to the petitioner on the basis of the petitioner complaint dated 12.01.2023 made to the first respondent herein.

For Petitioner

: Mr.G.Mageshkumar

For R1 & R2

: Mr.Leonard Arul Joseph Selvam
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 herein to provide police protection to the petitioner on the basis of the petitioner complaint dated 12.01.2023 on the file of the first respondent herein.

2. The learned counsel for the petitioner submitted that, petitioner's father and petitioner's wife purchased a property from the third respondent on 04.03.1993 for a sale consideration of Rs.90,000/-. After all these years, now the 3rd respondent asked the petitioner to pay excess money in connection with the selling of the property. When the petitioner refused to pay the amount, third respondent is threatening the petitioner. He further submitted that, third respondent's mother filed a suit in O.S.No.399 of 2012 on the file of the District Munsif, Chengalpattu in connection with the property for the relief of permanent injunction, however, the suit came to be dismissed as abated on the death of the 3rd respondent's mother by name Jaraldin Mary. It is his further submission that, despite giving complaint dated 12.01.2023 seeking police protection, respondent police has not taken any steps for police protection,



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necessitating the filing of this petition.

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3. The learned Government Advocate (Crl. Side) submitted that, based on the petitioner's complaint, enquiry was conducted and both the parties were directed to approach the competent Court for appropriate remedy.

4. Considered the rival submissions and perused the records. From the recording of the submissions made above, it is clear that the petitioner apprehends danger to his life and limb at the hands of the third respondent. Despite service of notice to the second respondent and that his name is mentioned in the cause list, second respondent did not appear today.

5. However, in view of the apprehension raised by the petitioner, this Court is of the view that. closure of the complaint dated 12.01.2023 with a direction to approach the Civil Court for appropriate remedy is not justifiable.

6. Considering the nature of the relief sought for in this petition ie., protection for life and limb, this Court directs the respondent to take appropriate action on the complaint dated 12.01.2023 and pass appropriate



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orders including giving police protection in the manner known to law.

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7. Accordingly, this Criminal Original Petition is Allowed.

14.06.2023

Sma

To

1. The Superintendent of Police,
Chengalpattu District.
2. The Inspector of Police,
Tiruporur Police Station,
Chengalpattu District.
3. The Public Prosecutor,
High Court of Madras.



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G.CHANDRASEKHARAN,J.

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