



Crl.O.P.No.24789 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.11.2024

CORAM :

THE HONOURABLE MR. JUSTICE P. VELMURUGAN

Crl.O.P.No.24789 of 2024

Santhakumar

.. Petitioner

Versus

1.The State Rep.by,
The Superintendent of Police,
Tirupattur District, Tirupattur.

2.The Deputy Superintendent of Police,
Vaniyambodi Division, Vaniyambodi, Tirupattur District.

3.The Inspector of Police,
Natrampalli Police Station, Tirupattur District.

4.Ilayaraja

5.Prabu

6.Muthu

7.Sennakesavan

8.Balu @ Banu Prakasam

9.Sampathkumar

10.Annamalai

11.Kumar

12.Kesavan

13.Ashokan

14. Boopalan

15. Prasanth

16. Vijayakumar

17. Moorthy

18. Jeevaramulu

.. Respondents



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PRAYER : Criminal Original Petition filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (B.N.S.S) to direct the 1st respondent to give suitable direction to the respondents 2 & 3 to give police protection for 2 & 3 to provide police protection for functioning of the petitioner's peaceful business by considering his representation dated 09.09.2024.

For Petitioner : Mr. E. Kannadasan

For Respondents : Mr. S. Vinoth Kumar, (for R1 to R3)
Government Advocate (Crl. Side)

: Not ready in notice (for R4 to R18)

ORDER

The petitioner has filed this petition seeking directions to the first respondent to give suitable direction to the respondents 2 & 3 to provide Police protection for the peaceful functioning of the petitioner's business, by considering his representation dated 09.09.2024.

2. The petitioner is running a business in the name and style of MKR Constructions and Blue Metals and he is also running a crushing unit and also carrying on quarry work, after obtaining appropriate



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certificates and license from the Government. The respondents 4 to 18 are frequently interfering with the functioning of the business of the petitioner. Therefore, the petitioner approached the third respondent with a complaint, but, no action has been taken. Therefore, the petitioner approached the second respondent to direct the third respondent to take action on this issue, but no action was taken thereof. Again, the petitioner approached the first respondent and submitted a representation dated 09.09.2024. The first respondent, without taking action on the petitioner's representation, conducted Kangaroo Court and demanded money by using the name of the major Political Party. Hence, the petitioner is constrained to file the present petition before this Court for the above said relief.

3. Heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) appearing for the respondents 1 to 3 and also perused the materials available on record.

4. According to the petitioner, he has already obtained licence from the Government to run his quarry business. Taking note of the facts of the present case, the relief sought for by the petitioner cannot be entertained by



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invoking the Section 528 of the Bharatiya Nagarik Suraksha Sanhita (B.N.S.S). However, the petitioner is at liberty to work out his remedy before the competent Civil Court.

5. With the above observation, this Criminal Original Petition is dismissed.

05.11.2024

Index : yes/no
Speaking order : yes/no
Neutral Case Citation : yes/no

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To:

- 1.The Superintendent of Police,
Tirupattur District, Tirupattur.
- 2.The Deputy Superintendent of Police,
Vaniyambodi Division, Vaniyambodi, Tirupattur District.
- 3.The Inspector of Police,
Natrampalli Police Station, Tirupattur District.
- 4.The Public Prosecutor,
High Court, Madras.



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P. VELMURUGAN, J.

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