



Crl.O.P.(MD) No.701 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 05.02.2024

CORAM

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

CRL.O.P (MD) No.701 of 2024

P.Veerachamy

...Petitioner

VS

1. The Commissioner of Police (North),
Commissioner Office,
Madurai District,
Madurai.
2. The Deputy Commissioner of Police (North),
Deputy Commissioner Office,
Madurai District,
Madurai.
3. The Inspector of Police
Mattuthavani Police Station,
Mattuthavani Bus Stand,
Madurai.
4. The Sub Inspector of Police,
Mattuthavani Police Station,
Mattuthavani Bus Stand,
Madurai.
5. M.Podhuvakumar
6. M.Vellmmal, (Assistant)
7. Hemalatha

... Respondents



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PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying, to direct the respondents to provide police protection to the life and limb of the petitioner, on the basis of petitioner's representation dated 14.12.2023.

For Petitioner : M/s.V.Jeyarani

For R1 to R4 : Mr.T. Senthil Kumar
Additional Public Prosecutor

ORDER

The learned Counsel for the Petitioner seeks permission of this Court to withdraw this Petition and he has also made an endorsement to that effect.

2.In view of the endorsement made by the learned Counsel for the Petitioner, this Petition is dismissed as withdrawn.

3.The Hon'ble Supreme Court in ***Sarguja Transport Service vs State Transport Appellate Tribunal and others***, reported in (1987) 1 SCC 5, held that if a Writ Petition/Original Petition is withdrawn, the party in that Petition cannot file a fresh Petition on the same cause of action. Only if the



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right to sue for the same cause of action is reserved before seeking dismissal of the suit/Writ Petition as not pressed, he/she can file a fresh Petition. In such cases, if the Writ Petition/suit/Original Petition had been dismissed as withdrawn, the Petitioner in such a case, loses his/her right to file a fresh Writ Petition on the same cause of action.

Internet: Yes./No

05.02.2024

Index: Yes/No

CM

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SATHI KUMAR SUKUMARA KURUP, J.

CM

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