



Crl.O.P.(MD)No.12019 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.07.2024

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THE HON'BLE MR.JUSTICE B.PUGALENDHI

Crl.O.P.(MD)No.12019 of 2024

Sagundhala

... Petitioner

versus

1. The Superintendent of Police,
Tirunelveli District,
Tirunelveli.

2. The Inspector of Police,
Koodankulam Police Station,
Tirunelveli District,
Tirunelveli.

3. The Inspector of Police,
Palavoor Police Station,
Tirunelveli District.
Tirunelveli.

4. Shanmugam

... Respondents

Prayer : Criminal Original Petition filed under Section 482 Cr.P.C. now amended as Section 528 of BNSS Act, 2023, to direct the respondents No.2 and 3 more particularly the 2nd respondent to provide adequate police protection for the life and limb of the



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petitioner forthwith.

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For Petitioner : Mr.S.Palani Velayutham

For R1 to R3 : Mr.P.Kottaichamy,
Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition has been filed seeking a direction to the 2nd respondent to provide adequate police protection to the life and limb of the petitioner.

2. The learned counsel for the petitioner submits that the petitioner has lodged a complaint before the 3rd respondent Police on 03.07.2024 and the same was not attended by the 3rd respondent Police. Therefore, the accused is now intimidating the petitioner to withdraw the complaint lodged by her on 03.07.2024. For the second incident of threat, the petitioner has also lodged a complaint before the 2nd respondent police on 22.07.2024 and the same is also not attended by the 2nd respondent Police. Therefore, the petitioner



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is before this Court.

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3. The learned Government Advocate (Crl. Side) submits that the petitioner's complaint dated 03.07.2024 was received by the 3rd respondent Police, based on which, petition enquiry was conducted in CSR No.463 of 2024 and the same was closed. According to him, both the parties have appeared before the respondent Police and based on the undertaking given by the accused, the issue has been amicably resolved between the parties. The second complaint of threat has been lodged by the petitioner only on 22.07.2024 and the same is treated as petition enquiry pending in CSR No.691 of 2024.

4. This Court considered the rival submissions made.

5. It appears that the first complaint of the petitioner in CSR No.463 of 2024 was closed. The respondent Police claims that the petitioner herself has appeared before the respondent Police and has made a request not to proceed with the complaint in CSR No.463 of



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2024. Now, the petitioner has lodged a complaint on 22.07.2024 as if the accused has intimidated her to withdraw the earlier complaint in CSR No. 463 of 2024. When the earlier complaint dated 03.07.2024, which was dealt with in CSR No.463 of 2024, was already closed, there is no necessity for the accused to intimidate the petitioner to withdraw the earlier complaint lodged by her on 03.07.2024. However, the petitioner has made certain allegation against the accused, which needs to be enquired. Therefore, the respondent Police shall conduct an enquiry on the petitioner's complaint dated 22.07.2024, find out the truth and thereafter, take a decision within a period of three weeks from the date of receipt of a copy of this order.

6. Since the petitioner's complaint dated 03.07.2024, has already been enquired and closed by the respondent Police, there is no necessity for passing an order of police protection in this petition, based on the materials available before this Court.



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7. With the above direction and observation, this Criminal

Original Petition is disposed of.

30.07.2024

Index : Yes / No.
Internet: Yes / No.
NCC : Yes/No.
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To

1. The Superintendent of Police,
Tirunelveli District,
Tirunelveli.
2. The Inspector of Police,
Koodankulam Police Station,
Tirunelveli District,
Tirunelveli.
3. The Inspector of Police,
Palavoor Police Station,
Tirunelveli District.
Tirunelveli.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI, J.

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