



Crl.O.P.(MD).No.20462

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.11.2024

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Crl.O.P.(MD).No.20462 of 2023

K.Balasubramaniam

...Petitioner

Vs.

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

2.The Deputy Superintendent of Police,
Kottaipattinam Division,
Pudukkottai District.

3.The Inspector of Police,
Mimisal Police Station,
Pudukkottai District.

4.Balu

5.Karthick

6.Parthiban

7.Kaliammal

8.Manikandan

9.Ganesan

10.Rajasekar



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11.Sathiyaraj

12.Lakshmi

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. to direct the respondent Nos.1 to 3 herein to provide adequate police protection to the petitioner's life and limb and property on the basis of the petitioner's representation dated 30.10.2023.

For Petitioner : Mr.S.Sathiyachidambaram

For R-1 to R-3 : Mr.B.Thanga Aravindh,
Government Advocate (Crl. Side)

For R-4 & R-12 : Mr.KR.Bharathi Kannan

ORDER

This petition has been filed to direct the respondent Police to provide Police protection to the petitioner's life and limb based on the representation made by the petitioner on 30.10.2023.

2. When the matter came up for hearing, on 16.11.2023, this Court passed the following order:

“The learned counsel for the petitioner would submit that in respect of repeated complaint and registering the FIR against the private respondents, frequent trouble has been made again and again. Similarly, trouble was made to one Manickavel, for which, he had filed Crl.O.P.(MD).No.10356 of 2023 before this Court seeking similar relief, that was considered by the order dated 13.06.2022. According to the petitioner, the private respondents



are habitual in nature in making frequent trouble to all the Villagers.

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2. Notice to the respondents 4 to 12, returnable by 12.12.2023. Private notice is also permitted.

3. In the meantime, let the above said representation be disposed of by the respondent on its own merits.

4. Let the development be informed the Court. Call on 12.12.2023.”

3. When the matter was taken up for hearing today, the learned counsel appearing for the petitioner submitted that the FIR that was registered in Crime No.492 of 2021 was investigated and final report has already been filed before the III Additional District Sessions Judge, Pudukottai and it has been taken on file in S.C.No.128 of 2024. In spite of the same, the private respondents are causing threat to the petitioner as well as the other witnesses in this case.

4. In the considered view of this Court, the Police cannot be a mute spectator, if the witnesses are going to be threatened and prevented from appearing before the Court and tendering evidence.

5. In view of the same, there shall be a direction to the Inspector of Police / third respondent to ensure that the fourth respondent and his family members do not cause any threat to the petitioner or to the other witnesses in S.C.No.128 of 2024. If any threat is exhorted, immediate steps shall be taken by the



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third respondent to get the bail cancelled and also provide protection to the witnesses to depose before the Court.

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6. This Criminal Original Petition is disposed of in the above terms.

22.11.2024

Index : Yes / No
Internet : Yes / No
Speaking Order/Non Speaking Order
TSG

To

- 1.The Superintendent of Police,
Pudukkottai District,
Pudukkottai.
- 2.The Deputy Superintendent of Police,
Kottaipattinam Division,
Pudukkottai District.
- 3.The Inspector of Police,
Mimisal Police Station,
Pudukkottai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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N.ANAND VENKATESH, J.

TSG

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22.11.2024