



Crl.O.P.(MD)No.22732 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.09.2024

CORAM:

THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Crl.O.P.(MD)No.22732 of 2023

S.Girinivasa Prasad

... Petitioner

VS.

1.The Superintendent of Police,
Kanniyakumari District

2.The Inspector of Police,
Eranial Police Station,
Neyyur Post,
Kanniyakumari District

3.Gireesa Prasad

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the 2nd respondent to provide adequate police protection to the petitioner's life and limb as and when he goes to the 3rd respondent's house to see his father on the basis of the petitioner's complaint in C.S.R.No.718 of 2023, dated 31.05.2023, on the file of the 2nd respondent police.

For Petitioner : Mr.S.Leonard Vasanth

For R1 & R2 : Ms.M.Aasha
Government Advocate (Crl. Side)

For R3 : Ms.S.Mahalakshmi



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ORDER

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The present Criminal Original Petition has been filed to direct the 2nd respondent to provide adequate police protection to the petitioner's life and limb as and when he goes to the house of the 3rd respondent to see his father on the basis of the petitioner's complaint in C.S.R.No.718 of 2023, dated 31.05.2023, on the file of the 2nd respondent police.

2. The petitioner/S.Girinivasa Prasad seeks police protection to visit his father, who is in the custody of the 3rd respondent herein. It is the contention of the petitioner that the petitioner was also taking care of his father. But however, the 3rd respondent, in whose house the father is living now, is not permitting the petitioner to visit his father, and is threatening the life and limb of the petitioner, whenever he goes to the house of the 3rd respondent.

3. When the matter is taken up for hearing, the learned Government Advocate (Criminal Side) would submit that the father is not willing to meet his son/the petitioner herein, and he has given a statement that the petitioner, namely S.Girinivasa Prasad, has been giving variety of police complaints and is causing mental agony to him.



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4. If only the father is willing to meet his son/the petitioner herein and the same is forcibly being prevented by the 3rd respondent, then police protection can be given. Otherwise, with reference to the visitation rights of the petitioner, it is all a civil matter. The petitioner can always approach the appropriate Court of law, if only he has any visitation rights to visit his father.

5. With the above liberty preserved to the petitioner, the Criminal Original Petition stands closed.

11.09.2024

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NCC : Yes / No

To

- 1.The Superintendent of Police,
Kanniyakumari District
- 2.The Inspector of Police,
Eranial Police Station,
Neyyur Post,
Kanniyakumari District
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai



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D.BHARATHA CHAKRAVARTHY, J.

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