



Crl.O.P.(MD) No.22627 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.12.2024

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

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Gopalsamy

... Petitioner

Vs.

1.State of Tamil Nadu,
Rep. by the Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.

2.The Inspector of Police,
Chathirakudi Police Station,
Ramanathapuram District.

3.R.P.Balakrishnan

4.Veluchamy

... Respondents

Prayer: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, 1973 to direct the second respondent to give adequate police protection to the petitioner and his family members, by considering the petitioner's representation dated 20.11.2024.

For Petitioner : Mr.A.George Stephen

For R1 & R2 : Mr.A.Thiruvadi Kumar
Additional Public Prosecutor



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ORDER

This Criminal Original Petition has been filed for the issuance of a direction to the first and second respondents to provide adequate police protection to the petitioner and his family members, in consideration of the petitioner's representation dated 20.11.2024.

2. The learned counsel for the petitioner submits that the third and fourth respondents are causing unnecessary harassment to the petitioner, who is aged about 88 years, and the petitioner fears for the safety of his life, limb, and property. Hence, the petitioner sent a representation to the second respondent on 20.11.2024. However, the second respondent has not taken any action. Therefore, the petitioner has filed this petition.

3. The learned Additional Public Prosecutor appearing for the first and second respondents submits that, upon the complaint of the petitioner, C.S.R.No.386 of 2024 was assigned, and summons were sent to the petitioner on 20.11.2024 and 24.11.2024; however, the petitioner has not responded to the summons.



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4. The learned counsel for the petitioner vehemently opposes this and submits that, upon receipt of the summons, the petitioner, at his advanced age, ensured his presence at the police station. However, the counter parties, i.e., the third and fourth respondents, were not present, and the second respondent appears to be complacent with the third and fourth respondents. Therefore, no action has been taken, despite considering the petitioner's age, who is about 88 years old, and despite being armed with the judgment of the civil court. The petitioner is being harassed under the guise of an enquiry.

5. The learned Additional Public Prosecutor submits that the respondent police are well aware of the DGP's Circular restraining the police from interfering in civil disputes. Therefore, the respondent police only called the petitioner for enquiry and will not disturb him henceforth. Further, the respondent police will ensure that the petitioner, who is aged 88 years, is provided with adequate police protection for himself and his property.

6. It is seen that the counter parties, i.e., the third and fourth respondents, have also filed a similar petition before this Court in Crl.O.P.



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(MD) No.22422 of 2024, and this Court, by an order dated 19.12.2024, had directed the parties to appear before the police station on 27.12.2024.

If either the petitioner or, considering his age, his representative, with adequate particulars, appear and provide an explanation, the enquiry to be concluded.

7. With the above observations, this Criminal Original Petition is disposed of.

20.12.2024

Index: Yes/ No
Neutral Citation: Yes / No
Speaking Order/Non-Speaking Order
JEN

To:

- 1.The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.
- 2.The Inspector of Police,
Chathirakudi Police Station,
Ramanathapuram District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M.NIRMAL KUMAR, J.

JEN

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