

P. Annavi Vs. State through, The Superintendent of Police, Trichy District and Others

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Court : Chennai Madurai

Decided On : Mar-08-2016

Judge : P.N. Prakash

Appeal No. : Crl.O.P.(MD) No. 3429 of 2016

Appellant : P. Annavi

Respondent : State through, The Superintendent of Police, Trichy District and Others

Judgement :

(Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the 2nd respondent to give a police protection for the petitioner's life and limb on the basis of his representation dated 02.02.2016 in accordance with law.)

1. This petition has been filed to direct the 2nd respondent to give a police protection for the petitioner's life and limb on the basis of his representation dated 02.02.2016 in accordance with law.

2. Heard learned counsel for the petitioner and learned Government Advocate (Crl.Side) appearing for the State.

3. It is the case of the petitioner he is the owner of Sri Durga Agro Enterprises at No.2/51, Poosari Street, Asoor, Tiruverumbur, Trichy, which has three branches in Trichy and that some persons are not permitting him to open the shop on the ground that he is selling substandard items.

4. Mr.Rajagopal, Sub-Inspector of Police Tiruverumbur Police Station is present before this Court. Learned Government Advocate (Crl.Side), on instructions, submits that a petition enquiry has been conducted in CSR No.127 of 2016 by Tiruverumbur Police and those, who are causing disturbance to the petitioner, have been warned not to prevent him from opening the shop.

5. This has been stoutly denied by the learned counsel for the petitioner stating that the petitioner has not been able to open the shop for the last ten days.

6. Be that as it may, every person has got a right to do his business legally in accordance with law, which is the fundamental right guaranteed by the Constitution of India. If the petitioner commits any violation of law, it is always open to the respondent police to register a case and take action in accordance with law. But, the petitioner cannot be prevented by others from running a lawful business.

7. Under such circumstances, the petitioner is directed to appear before the Superintendent of Police, Trichy District / 1st respondent herein and submit a representation and on receipt of such representation, the same shall be enquired into and Police protection be granted to the petitioner to open his shops and run the business peacefully, if found necessary.

With the above direction, this Criminal Original petition is disposed of.

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