

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.04.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CrI.OP No.4924 of 2015

S.Shajahan

..Petitioner

Vs

State rep by

1.The Commissioner of Police  
Vepery, Chennai.

2.The Asst. Commissioner of Police  
B1 North Beach Police Station  
Chennai.

3.The Inspector of Police  
B-1, North Beach Police Station  
Chennai.

.. Respondents

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to grant direction to the respondents to provide police protection to the petitioner and his family members.

For Petitioner : Mr.A.K.M.Samsunihar

For Respondents : Mr.C.Emalias

Additional Public Prosecutor

ORDER

This petition has been filed seeking direction to the respondents to provide police protection to the petitioner and his family members.

2. I have the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondents and I have also perused the records carefully.

3. It is the case of the learned counsel for the petitioner that the civil Court has granted injunction in favour of the petitioner in I.A.No.8124 of 2014 in O.S.No.2770/2014 with respect to the peaceful enjoyment of the property in question. It is alleged by the petitioner that his peaceful possession is being threatened by the one Valarmathi, who is the defendant in O.S.No.2770 of 2014 and therefore, this petition has been filed for police protection.

4. This Court is of the view, that in a pending civil Suit, it is not open to this Court to issue a direction under Section 482

Cr.P.C. to give police protection and hence, liberty is given to the petitioner to move civil Court for police protection and thus have injunction order enforced in his favour.

With the above liberty, this petition is closed.

Sd/-  
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1.The Commissioner of Police  
Vepery, Chennai.

2.The Asst. Commissioner of Police  
B1 North Beach Police Station  
Chennai.

3.The Inspector of Police  
B-1, North Beach Police Station  
Chennai.

4.The Public Prosecutor,  
High Court, Madras.

1 cc to Mr.A.K.M.Samsunihar ,Advocate, SR.No.19510

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pmk.23.4.2015

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