



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.02.2016

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Criminal Original Petition (MD) No.1872 of 2016

R.Kanagavel

... Petitioner

vs.

1.State rep.by

The Commissioner of Police
Madurai City
South Masi Street, Madurai

2.The Inspector of Police

Vilakkuthoon Police Station
Madurai City

3.Mohan

... Respondents

PRAYER: This petition is preferred under Section 482 Cr.P.C., to direct the second respondent to provide police protection for the petitioner to look after his own building bearing Door No.178, East Masi Street, Madurai Town, by engaging his workers for about seven days.

For Petitioner : Mr.T.K.Gopalan

For Respondents : Mr.K.V.Rajarajan, G.A.(Crl.Side) for R1 & R2

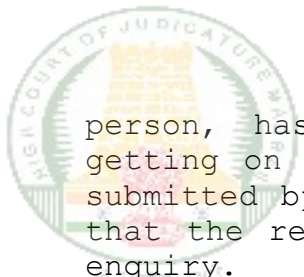
O R D E R

The petitioner has filed this criminal original petition, under Section 482 of the Code of Criminal Procedure, to direct the second respondent herein to provide police protection for him to look after his own building bearing Door No.178, East Masi Street, Madurai Town, by engaging his workers for about seven days.

2. Heard the learned counsel for the petitioner, learned Government Advocate (Criminal Side) appearing for the respondent Police and perused the materials placed on record.

3. When the criminal original petition is taken up for hearing, the learned Government Advocate (Criminal Side) has submitted that on the complaint, dated 27.11.2015, lodged by the petitioner, petition enquiry in C.S.R.No.412 of 2015 was conducted and it was closed, on the ground that the dispute is essentially civil in nature.

4. On reading of the complaint lodged by the petitioner, it is seen that there is a civil dispute between the petitioner and one Maran, but not between the petitioner and Mohan / third respondent herein. The crux of the complaint is that the said Mohan, who is a politically influential



person, has been threatening the petitioner and preventing him from getting on lawful business in the property in dispute. From the report submitted by the learned Government Advocate (Criminal Side), it is seen that the respondent Police has not even called the third respondent for enquiry.

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5. Under such circumstance, this Court directs the respondent Police to once again conduct an enquiry in C.S.R.No.412 of 2015 and take action in accordance with law by protecting the petitioner from any aggression by the opposite party.

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

Sd/-
Assistant Registrar (AS)

/True copy/

Sub Assistant Registrar

To

1.The Commissioner of Police,
Madurai City,
South Masi Street, Madurai.

2.The Inspector of Police,
Viakkuthoon Police Station,
Madurai City.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to Mr.T.K.GOPALAN, Advocate, SR No.7568

krk

SH/PM-MP:22.02.2016:2P/5C

Cr1.O.P(MD).No.1872 of 2016
08.02.2016