

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.07.2017

CORAM

THE HONOURABLE MR.JUSTICE M.S. RAMESH

Cr1.OP No.2382 of 2017

P.Sankaranarayanan

...Petitioner

Vs

1. The Commissioner of Police (Greater Chennai)  
Commissioner Office,  
Vepery, Chennai.

2. The Deputy Commissioner of Police,  
Adayar, Chennai.

3. State represented by  
Inspector of Police,  
J-7, Velachery, Chennai.

4. Spice Master and Catering Service,  
A Partnership firm  
Rep by its partners  
1.S.karthikeyan  
2.S.Ekambaram  
131, Bye Pass Road,  
Velachery, Chennai - 42.

...Respondents

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to direct the respondent to give protection to enter his restaurant peacefully and investigate.

For Petitioner :Mr.M.K.Yukanth  
For Respondent :Mr.P.Govindarajan  
Additional Public Prosecutor.

ORDER

The prayer sought for in this petition is to direct the respondent to give protection to enter his restaurant peacefully and investigate.

2. The grievance of the petitioner is that he has got certain mis-understanding with the 4<sup>th</sup> respondent herein in connection with his business. In this connection, he has also filed a Suit in O.S.No.3141 of 2016, wherein he had obtained an order of interim injunction granted in his favour. If at all the petitioner is aggrieved that the Interim Order has been violated and he requires police protection, it is open to him to approach the same Court, where the issue is pending. As such the present application under Section 482 of Cr.PC., when a Civil Suit touching upon the same fact is pending, is not maintainable.

3. Hence, the Criminal Original Petition stands dismissed with liberty to the petitioner to file appropriate application seeking police protection before the same Court.

Sd/-  
Asst.Registrar (CS IV )

/true copy/

Sub Asst. Registrar

dh/ak

To

1. The Commissioner of Police (Greater Chennai)  
Commissioner Office,  
Vepery, Chennai.
2. The Deputy Commissioner of Police,  
Adayar, Chennai.
3. Inspector of Police,  
J-7, Velachery, Chennai.
4. The Additional Public Prosecutor,  
High Court, Madras.

+1cc to Mr.M.K.Yukanth, Advocate Sr. 47530

CRL.O.P.No.2382 of 2017

AR(IV)  
VR(21/07/2017)