

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.04.2018

CORAM :

THE HONOURABLE MR. JUSTICE P.N. PRAKASH

Crl.O.P.No.4020 of 2018

Kuppusamy

... Petitioner

.. Vs ..

1. The Commissioner of Police
Greater Chennai,
Vepery, Chennai - 600 007.
 2. Deputy Commissioner of Police
Ambattur District,
Avadi.
 3. The Inspector of Police
T-6, Avadi Police Station,
Chennai.
 4. Mr.Karnan
Inspector of Police
T-6, Avadi Police Station
Chennai
- ... Respondents

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the first and second respondents to take department action against the third and fourth respondents for his illegal activity.

For Petitioner : Mr.M.R.Senthil Kumar
For Respondents : M/s. P.Kritika Kamal
Government Advocate (Crl. Side)
For Intervenor : MR.N.Damodaran

WEB COPY
O R D E R

This Criminal Original Petition has been filed to direct the first and second respondents to take department action against the third and fourth respondents for his illegal activity.

2. It is the case of the petitioner that he is in possession of 16 cents of land in S.No. 440/5 and that, he was illegally dispossessed by Kandiban in collusion with the fourth respondent. Therefore, the petitioner gave a complaint dated

30.01.2018 against the fourth respondent to the third respondent and thereafter, filed the present petition for a direction to take departmental action against the fourth respondent.

3. Heard the learned counsel appearing for the petitioner, the learned Government Advocate (Crl. Side) appearing for the respondents.

4. It appears that Kandiban filed Crl.O.P.No. 6833 of 2016 seeking police protection for putting up the compound wall around his property. In Crl.O.P.No. 6833 of 2016, Kuppusamy and others were shown as respondents. During the pendency of Crl.O.P.No. 6833 of 2016, the Police had given protection to Kandiban for putting up the compound wall and CCTV camera was also fixed in the property. Only in those circumstances, the Police had to give protection to Kandiban. Therefore, the prayer of the petitioner is misconceived.

5. It is seen that the land in question belongs to Kandiban and on his complaint, the case in Crime No. 1080 of 2016 was registered by Inspector of Police, T-6, Avadi Police Station, Chennai, against the petitioner herein and others, in which one of the accused was arrested and this petitioner was released on anticipatory bail. The application in the case in Crime No. 1080 of 2016 is that the petitioner assaulted Kandiban with deadly weapons, while he was constructing a compound wall in his property. Therefore, on the complaint of Kandiban, the police had to intervene and take action against Kuppusamy. Under such circumstances, the allegations of Kuppursamy against the respondent police is misconceived and is motivated. Hence, no protection as prayed for can be granted. Hence, this Criminal Original Petition is dismissed.

-sd/-

Assistant Registrar

True Copy

Sub-Assistant Registrar

WEB COPY

To

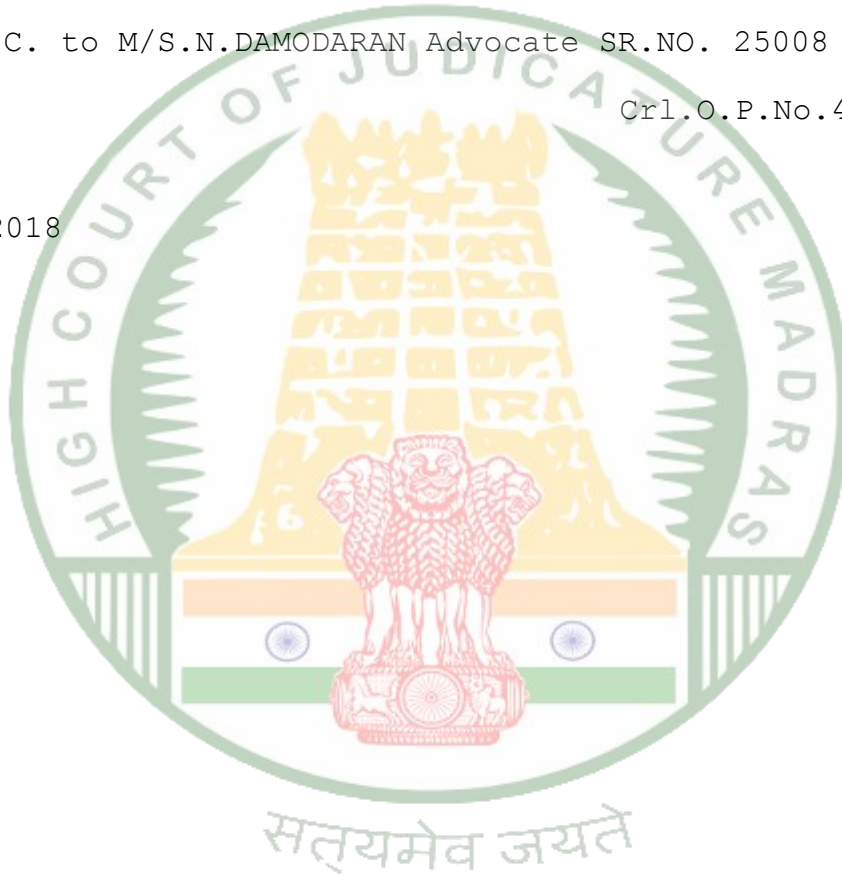
1. The Commissioner of Police
Greater Chennai,
Vepery, Chennai - 600 007.

2. Deputy Commissioner of Police
Ambattur District,
Avadi.
3. The Inspector of Police
T-6, Avadi Police Station,
Chennai.
4. The Public Prosecutor,
High Court, Madras.

+1 C.C. to M/S.N.DAMODARAN Advocate SR.NO. 25008

CrI.O.P.No.4020 of 2018

NRI (CO)
VS 17.04.2018



WEB COPY