

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :10.09.2018

CORAM

THE HONOURABLE Mr.JUSTICE P.RAJAMANICKAM

CrI.OP.No.21853 of 2018

Dhanalakshmi

...Petitioner

Vs.

1. The Inspector General of Police,  
West Zone, Coimbatore,  
Coimbatore District.
2. The Deputy Inspector General of Police,  
Salem Range, Salem.
3. The Superintendent of Police,  
Salem District, Salem.
4. The Deputy Superintendent of Police,  
Attur, Salem District.
5. The Inspector of Police,  
Thalaivasal Police Station,  
Salem District.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the fourth and fifth respondents to give police protection from the hands of the accused persons involved in Crime No.222 of 2018.

For Petitioner : Mr.M.Jaga Jeevan

For Respondents : Ms.M.Prabhavathi,  
(Additional Public Prosecutor)

ORDER

This petition has been filed by the defacto complainant in Cr.No.222 of 2018 on the file of the fifth respondent to direct the respondents 4 and 5 to provide police protection.

2. The learned counsel for the petitioner has submitted that based on the complaint given by the petitioner, the fifth

respondent has registered a case in Crime No.222 of 2018 under Sections 147, 294(b), 323, 354, 506(1) of IPC r/w Section 3 of TNPPD Act. She further submitted that the fifth respondent after registering the FIR, he has not taken effective steps to arrest the accused persons and taking advantage of the same, the accused persons are again criminally intimidating the petitioner and her family members and hence, the respondents 4 and 5 may be directed to give police protection to the petitioner and her family members.

3. The learned Additional Public Prosecutor has submitted that already the petitioner's father-in-law has filed a civil suit against the accused persons and in that suit, so far no interim order has been granted. She further submitted that if any order is passed by the Civil Court, the Police will give police protection. Therefore, she prayed that the petitioner may be directed to get appropriate order from the Civil Court.

4. Considering the fact that already the petitioner's father-in-law has filed a suit and the same is still pending, it is open to the petitioner's father-in-law to get interim injunction to protect their possession over the suit property and thereafter he can also file an application under Section 151 of Cr.P.C before the Civil Court for seeking police protection. This Court under Section 482 Cr.P.C cannot order for police protection in the civil dispute.

5. In so far as criminal case is concerned, the 5th respondent is directed to expedite the investigation and file final report at early.

6. With the aforesaid directions, this petition is disposed of.

Sd/-  
Deputy Registrar

//True Copy//

Sub Assistant Registrar

To

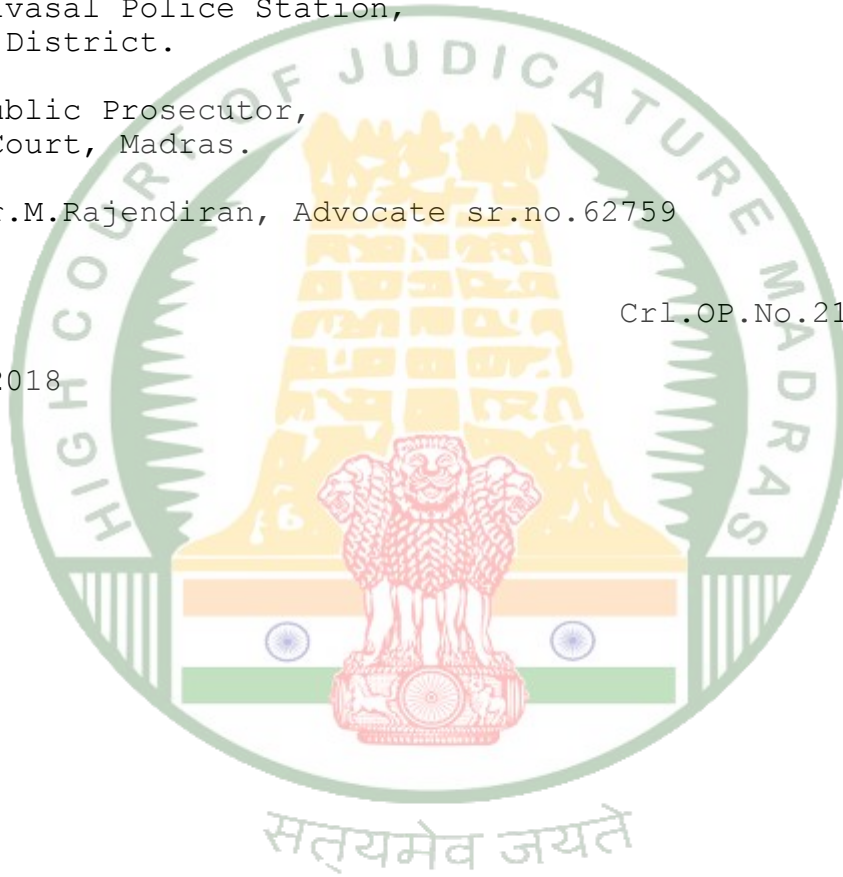
1. The Inspector General of Police,  
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Coimbatore District.

2. The Deputy Inspector General of Police,  
Salem Range, Salem.
3. The Superintendent of Police,  
Salem District, Salem.
4. The Deputy Superintendent of Polic,  
Attur, Salem District.
5. The Inspector of Police,  
Thalaivasal Police Station,  
Salem District.
6. The Public Prosecutor,  
High Court, Madras.

+1cc to Mr.M.Rajendiran, Advocate sr.no.62759

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