

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.01.2018

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

Cr1.O.P.No.25216 of 2017

Selvi

.. Petitioner

Vs.

1.The Inspector of Police,
Pochampalli Police Station,
Krishnagiri District.

2.Ganesan

3.Sivalingam

4.Vaitheswaran

5.Krishnan

6.Palaniyappan

7.Vediyappan

.. Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the respondents to give police protection to the petitioner for her life and for the usage of common cart passage based on the complaint dated 29.10.2017.

For Petitioner : Mr.I.Periasamy

For R1 : Mr.R.Ravichandran
Government Advocate [Cr1. Side]

For RR2 to 7 : Mr.K.Balu

ORDER

The limited prayer sought for in the present petition is to direct the 1st respondent to give police protection to enable the petitioner to utilize the common cart passage.

2. The learned counsel for the petitioner submits that he has got the benefit of an injunction restraining the respondents from creating any disturbance utilizing of the cart passage in

I.A.No.300 of 2017 in O.S.No.81 of 2017 dated 05.10.2017 on the file of the District Munsif Court, Pochapalli, Krishnagiri and that the said injunction was still in force.

3. The learned counsel for the respondents 2 to 7 , on the other hand disputes the extension of interim order as well as the petitioner's right to use the pathway and hence raised their objection.

4. In my view, the issue as to whether the petitioner is entitled for an order of police protection is within the domain of the respondent police. This Court exercising its powers under Section 482 of Cr.P.C. cannot step into the shoes of the police officers and issue directions for extension of police protection. Nevertheless, whenever a right is protected by orders of Civil Court, it would be appropriate for the police to extend necessary protection for the purpose of properly implementing the orders of Civil Court .

5. With these observations, the Criminal Original Petition stands disposed of with the direction to the petitioner to approach, the first respondent, if necessary, seeking for a direction. On receipt of such a representation the first respondent shall pass appropriate orders on its own merits and in accordance with law. Such an exercise shall be completed within a period of two weeks from the date of receipt of a copy of this order. The Criminal Original Petition stands disposed of accordingly.

s/d-

Assistant Registrar(CS IX)

True Copy

Sub-Assistant Registrar

sj

To

1.The District Munsif Court,
Pochapalli, Krishnagiri.

2.The Inspector of Police,
Pochampalli Police Station,
Krishnagiri District.

3.The Public Prosecutor,
High Court, Madras.

+1 CC to Mr.K. Balu, Advocate sr 6822.

+1 CC to Mr.I. Periyasamy, Advocate sr 6665.

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SP(09/02/2018)