

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.06.2018

C O R A M

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

Crl.O.P.No.14834 of 2018

Mrs.A.Balkis Beevi

... Petitioner

Vs.

State Rep. by

1. The Inspector of Police
B-2, Esplanade Police Station
Chennai-600 104.

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

... Respondents

Criminal Original Petition is filed under Section 482 of Cr.P.C seeking a direction to the respondents to open the shop M/s.Parrys Book House at No.195, N.S.C.Bose Road, Ground Floor, Chennai-1, forthwith, as the keys of the said shop are in the custody of the 1st respondent police since 13.05.2018 and also to give suitable protection to her 2 sons to carry on their business.

For Petitioner : Mr.Y.Mohamed Ghouse

For Respondents : Mrs.Kritika Kamal.P.

Government Advocate (Crl. Side)

O R D E R

This Criminal Original Petition has been filed seeking a direction to the respondents to open the shop M/s.Parrys Book House at No.195, N.S.C.Bose Road, Ground Floor, Chennai-1, forthwith, as the keys of the said shop are in the custody of the 1st respondent police since 13.05.2018 and also to give suitable protection to her 2 sons to carry on their business.

2. Today, Mrs.S.Bharathi, Sub-Inspector of Police, B2-Esplanade Police Station, Chennai-104, is present before this Court.

3. When the matter is taken up for hearing, Mr.Ilayaraja, learned counsel appearing for the Intervenor-Jamal Mohammed, son of the petitioner, submitted that the possession of the shop in question is with his client.

4. Per contra, Mr.Y.Mohamed Ghouse, learned counsel for the petitioner refuted the said contention.

5. The learned Government Advocate (Crl. Side) submitted that the keys of the shop is not with the police. She also further submitted that there was a dispute between the sons of the petitioner, on account of which, violence broke out on 10.05.2018, for which, two FIRs have been registered in Crime Nos. 226/2018 and 227/2018 against both the parties.

6. In a proceeding under Section 482 Cr.P.C., it is beyond the scope to decide the title and possession of the disputed property. In such view of the matter, this petition is closed with liberty to the petitioner to work out her remedy before appropriate forum.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

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To

1.The Inspector of Police
B-2, Esplanade Police Station
Chennai-600 104.

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

3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.Y.Mohamed Ghouse, Advocate SR.No.35378

+1cc to Mr.N.Elayaraja, Advocate SR.No.35156

KK(CO)
sm:13.6.2018

CrI.O.P.No.14834 of 2018

सत्यमेव जयते

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