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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.11.2018

CORAM

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Crl.OP.No.20136 of 2017

1. J.M.Stalin
2. Christoper Mani
- 3.SamKannaiyan

.Petitioners

Vs.

1. The Superintendent of Police
Sathuvacheri, Vellore - 9.
2. State rep. by
The Inspector of Police,
Town Police Station,
Ambur, Vellore District.
3. K.Jayaprasad
4. N.John Sekaran
5. S.Walter Dhansingh

...Respondents

[R3-R5 are impleaded as per order of this Court,
dated 15.12.2017 made in Crl.MP.No.15856/2017
in Crl.OP.No.20136/2017]

Prayer : Criminal Original Petition filed under Section 482 Cr.P.C to direct the respondent police 1 and 2 to provide police protection to the petitioners and based on the representation lodged by the petitioners dated 17.07.2017.

For Petitioners: Mr.C.V.Kumar
For R1 & R2 : Mr.C.Raghavan
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed seeking for a direction to the respondent police 1 and 2 to provide police protection.

2. The learned counsel for the petitioners would submit that the first petitioner is the President, the second petitioner is the Secretary and the third petitioner is the Treasurer of the



Church. These petitioners were re-elected for a period of three years, in the year 2015.

3. According to the learned counsel for the petitioners, certain persons are preventing the smooth running of the church and also preventing the prayer being conducted in the church. The petitioners are also facing life threat, and therefore, a complaint was given before the respondent police on 17.07.2017, seeking for police protection. Since no action has been taken, the present petition has been filed.

4. The learned Government Advocate (Crl.Side), on instructions, would submit that the petitioners had also filed a Civil Suit against the concerned persons and had filed Interlocutory Application, seeking for injunction. This Interlocutory application was also dismissed by the Court below.

5. The learned Government Advocate (Crl.Side) would further submit that the police cannot interfere in the internal working of the church, and therefore, police protection cannot be given by the respondent police.

6. There is an interse dispute between the parties and a Civil Suit is admittedly pending in this case. The injunction application, that was moved by the petitioners was also dismissed. In a case of this nature, the police will have no role to play. Therefore, this Court is not inclined to grant the relief sought for by the petitioners.

7. In view of the above, this Criminal Original Petition is disposed of, with liberty to the petitioners to workout their remedy in the pending suit.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

msrm/raja

To

1. The Superintendent of Police
Sathuvacheri, Vellore - 9.
2. The Inspector of Police,
Town Police Station,
Ambur, Vellore District.



3. The Public Prosecutor
High Court,
Madras.

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+1cc to Mr.C.V.Kumar, Advocate sr.no.81279

Cr1.OP.No.20136 of 2017

mr(co)
nr 17/12/2018