

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.11.2018

CORAM

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Crl.OP.No.25008 of 2017

Sampooranam

... Petitioner

Vs.

1. State rep, by,
The Inspector of Police
M-3, Puzhal Police Station,
Chennai - 600 066.

2. Mrs.Gangammal

3. V.Gunasekaran

4. V.Murugesan

5. V.Vinayagamurthy

6. Amulu

[R2 to R6 are impleaded as per the order of this Court,
dated 07.12.2017 made in Crl.MP.No.15435/2017
in Crl.OP.No.25008/2017]

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C to direct the 1st respondent to provide adequate protection to the life of the petitioner and her family members while doing repair works on their residence at No.31/18, Kumaran Street, Lakshmipuram, Chennai - 600 009 from the hands of the accused persons (1) Gangammal, wife of Late. Mr.Varadappa Naicker, (2) V.Gunasekaran, son of Late. Mr.Varadappa Naicker, (3) V.Murugesan, son of Late. Mr.Varadappa Naicker, (4) V.Vinayagamoorthy, son of Late. Mr.Varadappa Naicker, (5) Amulu, wife of Mr.Murugesan.

For Petitioner : M/s.Sai Bharath and Ilan

For R1 : Mr.C.Raghavan
Government Advocate (Crl.Side)

For R2 to R6 : M/s.S.Kalpana

ORDER

This Criminal Original Petition has been filed seeking for a direction to the respondent police to give police protection to the petitioner, in order to carry out the repair works in her residence.

2. The learned counsel for the petitioner would submit that the brothers of the petitioner are preventing the petitioner from enjoying the property and doing the repair works in the house, where the petitioner is residing.

3. The learned counsel for the petitioner would also submit that there are two suits pending before the learned District Munsiff Court, Tiruvotriyur. O.S.No.203 of 2008 was filed for permanent injunction and O.S.No.56 of 2009 was filed by the petitioner for partition.

4. The relief sought for by the petitioner cannot be granted by this Court.

5. If the petitioner is prevented by her brothers from enjoying the property and carrying on with the repair works, the petitioner has to seek for appropriate remedy in the pending suit. The police cannot interfere in matters of this nature.

6. In view of the above, this Court does not find any merits in this case. Accordingly, this Criminal Original Petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

msrm/raja

To

1. The Inspector of Police
M-3, Puzhal Police Station,
Chennai - 600 066.

2. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.Sai & Bharath Advocate, S.R.No. 79352

Cr1.OP.No.25008 of 2017

VBA(CO)
GN(10/12/2018)