

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.11.2018

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Cr1.O.P.No.25579 of 2018

Seenivasan

... Petitioner

Vs.

1.State

Rep. By the Sub Inspector of Police,
Magudamchavadi Police Station,
Salem District.

2.Pachamuthu

... Respondents

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C. to direct the 1st respondent to give police protection for the petitioner and his property at in S.No.639/4 extent of 1,118 sq.ft.

For Petitioner : Mr.R.S.Maitreya

For Respondents : Mr.M.Mohamed Riyaz
Additional Public Prosecutor for R1

Mr.W.Camyles Gandhi for R2

ORDER

This Criminal Original Petition has been filed seeking for police protection to the petitioner and his property.

2.From the averments made in the affidavit, it is clear that there is a suit pending between the parties in O.S.No.310 of 2008 on the file of the District Munsif Court, Sankagiri. That apart, based on the FIR registered by the respondent Police in Crime No.291 of 2018, the dispute between the parties has been referred to the Executive Magistrate under Section 145 of Cr.P.c. and the enquiry is pending. It is therefore clear that there is a serious dispute with regard to the right over the property between the petitioner and the other party. In such

circumstances, the police cannot interfere and the relief sought for by the petitioner cannot be granted by this Court.

3.In the result, this Criminal Original Petition is dismissed.

Sd/-
Assistant Registrar

//True copy//

Sub Assistant Registrar

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To

1.The Inspector of Police,
Magudamchavadi Police Station,
Salem District.

2.The Public Prosecutor,
Madras High Court,
Chennai.

+2cc to Mr.RS.Maitreya, Advocate SR.No.81803, 81109

+1cc to Mr.W.Camyles Gandhi, Advocate SR.No.81546

Cr1.O.P.No.25579 of 2018

RGN (CO)

GMV (13/12/2018)

सत्यमेव जयते
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