

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.11.2018

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

CrI.O.P.No.26188 of 2018

E.Kanagaraj

... Petitioner

-Vs-

1.The Superintendent of Police,
Salem District,
Salem.

2.The Deputy Superintendent of Police,
Attur Range,
Attur Taluk & Post,
Salem District.

3.The Inspector of Police,
Thalaivasal Police Station,
Salem District.

... Respondents

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to provide police protection for the petitioner and his family as well as the petitioner factory viz., "Sri Sakthivel Rice Mill" which is situated in Nathakarai, Thalaivasal, Attur Taluk, Salem District, based upon the complaint of the petitioner dated 07.11.2018.

For Petitioner : Mr.M.K.Subramanian

For Respondents : Mr.M.Mohamed Riyaz
Additional Public Prosecutor,
High Court, Chennai - 104.

ORDER

This petition has been filed seeking for police protection.

2. Admittedly, in this case, there is a suit pending in O.S.No.359 of 2018 on the file of the District Court, Salem. Pending the said suit, the petitioner has also filed an application for interim injunction in I.A.No.1064 of 2018 and the Court below has also granted an order of interim injunction. Despite the same, if there is violation of injunction order and

the possession and enjoyment of the petitioner is interfered with, by the defendants, the petitioner has to work out his remedy before the Civil Court by seeking for an appropriate relief. It is also open to the petitioner to file an application seeking police protection before the very same court, in which the said Civil suit is pending. An independent application seeking for police protection before this Court under section 482 of Crpc is not maintainable.

3. In view of the above, this Criminal Original Petition is disposed of by giving liberty to the petitioner to move the appropriate Civil Court.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

To

1. The Principal District Judge,
District Court,
Salem.

1. The Superintendent of Police,
Salem District,
Salem.

2. The Deputy Superintendent of Police,
Attur Range,
Attur Taluk & Post,
Salem District.

3. The Inspector of Police,
Thalaivasal Police Station,
Salem District.

4. The Public Prosecutor,
High Court,
Chennai.

+1 cc to Mr.M.K.Subramanian, Advocate SR.NO.77407

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VGI (CO)
CSL/30.11.2018