

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.11.2018

CORAM

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL.O.P.No.26426 of 2018

V.Subramanian

...Petitioner

Versus

1.The State Rep. by,
Superintendent of Police,
Gopalapuram,
Coimbatore.

2.The State Rep. by,
District Superintendent of Police,
Mahalingapuram,
Pollachi.

3.The State Rep. by,
Inspector of Police,
All Women Police Station,
Mahalingapuram.

4.N.Jaya

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondents 1 to 3 to evict the 4th respondent from the petitioner's sister's premises in pursuance of the order dated 24.10.2018 in Crl.O.P.No.21397 of 2018.

For Petitioner : Mr.S.M.Kothai Muthu Meenal

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

O R D E R

This petition has been filed seeking for a direction to respondents 1 to 3 to evict the 4th respondent from the premises belonging to the petitioner.

2. The learned counsel for the petitioner would submit that an order was passed by this Court in Crl.O.P.No.21397 of 2018, dated 24.10.2018, wherein this Court had granted Anticipatory Bail to the petitioner by imposing certain conditions. The petitioner had also complied that the condition imposed by this Court. Therefore, the present petition has been filed on the ground that the 4th respondent had taken the amount deposited by the petitioner and still has not vacated the premises and is giving constant trouble to the petitioner and his sisters everyday. In this regard the petitioner had also given a police complaint and the respondent police have not taken any action till date.

3. The nature of relief that has been sought for in this petition is unsustainable. If the petitioner wants to evict the 4th respondent, he has to approach the appropriate Civil Court and the help of the police cannot be sought for this purpose. This Court does not find any merits in the Criminal Original Petition and accordingly, the same is dismissed. However, liberty is granted to the petitioner to approach the appropriate Civil Court seeking for the eviction of the 4th respondent in accordance with law.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

VV2
To

Sub Assistant Registrar

1. Superintendent of Police,
Gopalapuram,
Coimbatore.
2. District Superintendent of Police,
Mahalingapuram,
Pollachi.
3. Inspector of Police,
All Women Police Station,
Mahalingapuram.
4. The Public Prosecutor
High Court, Madras.

+1cc to M/s.S.M.Kothai Muthu Meenal, Advocate, S.R.No.77721

CRL.O.P.No.26426 of 2018

RSI (CO)
SSM(03/12/2018)