

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 04.12.2018
CORAM:

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P.No.28214 of 2018

S.Sathish Babu

... Petitioner

Vs.

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

2.The Inspector of Police,
M3, Puzlal Police Station,
Chennai.

3.Padmavathy

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, to direct the respondents to give adequate police protection to the petitioner and prevent the cognizable the offence under Section 149 of Cr.P.C.

For Petitioner : Mr. S.Ramajayam

For R1 and R2 : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

O R D E R

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

2. It is seen from the records that the petitioner owned certain properties. Certain persons attempted to interfere with the possession and enjoyment of the property and also attempted to attack the petitioner. Therefore, a complaint was given by the petitioner to the respondent police on 25.11.2018 seeking for police protection. Subsequently, the petitioner filed a Civil Suit against the other party in O.S.No.181 of 2018, on the file of the District Munsif Court, Thiuvottiyur. In the said suit, the petitioner also filed I.A.No.1334 of 2018 seeking for an interim injunction. The Court below after hearing the petitioner passed an order of Status Quo on 27.11.2018.

3. The learned counsel for the petitioner would submit that inspite of the interim order passed by the Court, the other party is attempting to trespass into the property and also causing threat to the petitioner. That apart, the other side is influencing the officials of the second respondent and compelled the petitioner to come to the police station in order to sign in certain blank papers. The petitioner has also given a complaint to all the respondents on 28.11.2018 in this regard. Since, no action has been taken on the complaint, this petition has been filed before this Court.

4. The petitioner on the one hand has seeking for police protection from the respondent police. On the other hand, the petitioner has also complained against the respondent police on the ground that he was called to the police station in the name of enquiry and he was compelled to sign in blank papers. The nature of the dispute is Civil and therefore the petitioner has to work out his remedy only before the competent Civil Court. In view of the fact that the petitioner has already obtained the order of Status Quo, if there is any violation of the said order, the petitioner has to file an appropriate petition before the Court below. It is also possible for the petitioner to seek police protection before the Court below by filing a appropriate application, if the order of interim injunction is not obeyed by the other side.

5. The relief as sought for by the petitioner cannot be granted by this Court. This Criminal Original Petition is dismissed with liberty to the petitioner to work out his remedy before the Civil Court, in which the suit is already pending.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

lpp/vsa

To

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

2.The Inspector of Police,
M3, Puzlal Police Station,
Chennai.

3. The Public Prosecutor,
High Court, Madras.

+lcc to Mr.S.Ramajayam, Advocate, S.R.No.83343

CRL.O.P.No.28214 of 2018

KS (CO)

rrs 19/12/2018



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