

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.12.2018

CORAM:

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P.No.29062 of 2018

Banumathi

... Petitioner

Vs.

1.The Superintendent of Police,  
Velipalayam, Elancheran Nagar,  
Nagapattinam - 611 001.

2.The Deputy Superintendent of Police,  
Gandhi Nagar, Koranad,  
Mayiladuthurai.

3.The Inspector of Police,  
Mayiladuthurai Police Station Road,  
Gandhi Nagar, Koranad,  
Mayiladuthurai - 609 001.

4.Seetharaman

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, to direct the respondents 1 to 3 to provide adequate police protection to the petitioner's premises "Ashirwad" at Thiruvarur Road, Pattamangalam, Mayiladuthurai Taluk, Nagapattinam District based on the petitioner's representation dated 19.08.2018.

For Petitioner : Mr.R.Murali

For R1 to R3 : Mr.M.Mohamed Riyaz

Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking for adequate police protection.

2. It is seen from the records that there is already a suit pending in O.S.No.193 of 2018 and in the said suit, the Principal District Munsif, Mayiladuthirai has passed an order of interim injunction in favour of the petitioner in I.A.No.372 of 2018, dated 24.08.2018. The grievance of the petitioner is that this order is violated by the fourth respondent and the fourth respondent is repeatedly interfering with the possession and enjoyment of the property.

3. In a case of this nature, the petitioner has to seek for an appropriate remedy only in the pending suit. If the order of

injunction is violated by the fourth respondent, the petitioner has to file an appropriate petition for initiating contempt proceedings and the petitioner is also entitled to seek for police protection. The petitioner cannot maintain an independent petition before this Court under Section 482 of Cr.P.C.

4. Accordingly, this Criminal Original Petition is disposed of by giving liberty to the petitioner to seek her remedy in the pending suit in the manner indicated herein above.

Sd/-  
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

lpp/vsa

To

- 1.The Superintendent of Police,  
Velipalayam, Elancheran Nagar,  
Nagapattinam - 611 001.
- 2.The Deputy Superintendent of Police,  
Gandhi Nagar, Koranad,  
Mayiladuthurai.
- 3.The Inspector of Police,  
Mayiladuthurai Police Station Road,  
Gandhi Nagar, Koranad,  
Mayiladuthurai - 609 001.
4. The Public Prosecutor,  
High Court, Madras.

+1cc to Mr.R.Murali, Advocate sr.no.85692

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pa(co)  
nr 09/01/2019