



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:17.01.2018

CORAM:

WEB COPY

**THE HONOURABLE MR.JUSTICE P.RAJAMANICKAM**

CRL.O.P. (MD) No.713 of 2018

Jeyalakshmi

... Petitioner

-Vs-

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

2. The Inspector of Police,  
Mayanoor Police Station,  
Mayanoor,  
Karur District.

3. Ramalingam

4. Pappathi

... Respondents

**PRAYER:** Criminal Original petition filed under Section 482 of Criminal Procedure Code, to direct the respondents to give adequate police protection to the life and limb of the petitioner and his family members on the basis of the representation of the petitioner, dated 06.12.2017.

|                       |                                |
|-----------------------|--------------------------------|
| For Petitioner        | : Mr.T.Vadivelan               |
| For Respondents 1 & 2 | : Mr.Prabhu Ramachandran       |
|                       | Government Advocate (Crl.Side) |
|                       | No appearance for RR-3 & 4     |

### **O R D E R**

This Criminal Original petition has been filed to direct the second respondent to give police protection to the petitioner and his family members, based on the representation given by the petitioner, dated 06.12.2017.

2. The learned counsel appearing for the petitioner has submitted that the petitioner's husband has already filed a suit in O.S.No.49 of 1999 on the file of the District Munsif Court, Kulithalai against one Ramalingam and obtained a decree for permanent injunction and even thereafter, the said Ramalingam is threatening the petitioner and his family members and hence, a complaint has been given on 06.12.2017, seeking police protection. But the second respondent has refused to give police protection.



3. The learned Government Advocate (Crl.side) has submitted that since it is a civil dispute, the petition is still pending.

4. Considering the aforesaid submissions, this Court is of the view that if the petitioner's husband has already obtained a decree before the civil court, then, it is open to the petitioner's husband to file an execution petition for executing the said decree. However, if the second respondent feels that it is civil in nature, then he has to complete the enquiry and direct the parties to approach the civil court. If the enquiry reveals any cognizable offence, he has to register a case and proceed in accordance with law.

5. With the aforesaid observation, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,  
Karur District, Karur.
2. The Inspector of Police,  
Mayanoor Police Station,  
Mayanoor,  
Karur District.
3. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

+1cc to Mr.T.Vadivelan, Advocate Sr.No.42701

VS

VB/SV/MMS/SAR2/01.02.2018/2P/5C

CRL.O.P. (MD) No.713 of 2018  
17.01.2018