



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.07.2018

CORAM:

THE HONOURABLE MR. JUSTICE G.R.SWAMINATHAN

WEB COPY

Cr1.O.P.(MD)No.13309 of 2018

Ezhilvendan

: Petitioner

Vs.

1. The State rep by its,
The Superintendent of Police,
Sivagangai District,
Sivagangai.
2. The Deputy Superintendent of Police,
Sivagangai,
Sivagangai District.
3. The Inspector of Police,
Sivagangai Taluk Police Station,
Sivagangai,
Sivagangai District.
4. The Sub Inspector of Police,
Madaguppati Police Station,
Madagupatti,
Sivagangai District.

5.Panchavarnam

6.Muniammal

: Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C., praying to direct the respondents 1 to 4 to give adequate police protection to the petitioner and his family members from the 5th and 6th respondents and their associates on the basis of the petitioner's complaint dated 23.07.2018.

For Petitioner

: Mr.PR.Boomee Rajan

For Respondents 1 to 4

: Mr.K.K.Ramakrishnan

Additional Public Prosecutor

O R D E R

The petitioner is not having an enforceable decree of the Civil Court in his favour. It appears that the contesting respondents filed a suit against the petitioner and the same was dismissed. It appears that even the appeal filed against the dismissal of the suit suffered dismissal for non-prosecution.



2.Be that as it may, since the petitioner is not having an enforceable decree in his favour, he cannot come to this Court and obtain an order for police protection. Moreover, when the petitioner cannot file an execution petition, he cannot file the present Criminal Original Petition, by invoking Section 482 Cr.P.C. It is for the petitioner to file a suit against the contesting parties and get relief.

3.The Criminal Original Petition is dismissed, accordingly.

Sd/-

Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar (CS-I)

To

1. The Superintendent of Police,
Sivagangai District,
Sivagangai.
2. The Deputy Superintendent of Police,
Sivagangai,
Sivagangai District.
3. The Inspector of Police,
Sivagangai Taluk Police Station,
Sivagangai,
Sivagangai District.
4. The Sub Inspector of Police,
Madaguppati Police Station,
Madagupatti,
Sivagangai District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Mr

MK/MMS/SAR 1/13.08.2018/2P/6C

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30.07.2018