



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.09.2018

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WEB COPY

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.(MD)No.17030 of 2018

P.Valarmathi

...Petitioner

Vs.

1.The Superintendent of Police,
Theni District.

2.The Inspector of Police,
Chinnamannur Police Station,
Theni District.

3.K.Venkatesan

...Respondents

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C., to direct the respondents Nos.1 and 2 to accord police protection to the petitioner for running her shop "A.K.Constructions" in Survey No.590/1A1A in Door No.100/1 in Chinnamanur Municipality, Theni District.

For Petitioner : Mr.K.Muthumalai

For R-1 and R-2: Mr.K.Suyambulinga Bharathi
Government Advocate (Crl.Side)

ORDER

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

2. Heard learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) for the respondents 1 and 2.

3.Admittedly, O.S.No.135 of 2017 is pending before the Principal District Munsif, Utthamapalaym. The petitioner is aggrieved by the alleged illegal action of the third respondent, who is interfering with running of the shop.



4. This Court is of the view that when the civil suit is pending before the competent civil Court, the police cannot intervene in such matters and this Court cannot direct the police to give police protection in this case. However, the petitioner is at liberty to move an appropriate application in the pending suit to protect her right and possession.

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

Sd/-

Assistant Registrar (PROTOCOL)

// True Copy //

Sub Assistant Registrar (CS-IV)

To

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

+ 1 CC TO MR.K.MUTHUMALAI, ADVOCATE IN SR NO.86817

CP

BU/RP/SAR-IV :23.10.2018 : 2P/5C

Cr1.O.P. (MD) No.17030 of 2018
25.09.2018