



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.10.2018

CORAM:

WEB COPY

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P.(MD)No.18257 of 2018

P.Prabhu

.. Petitioner

-Vs-

1. The Commissioner of Police,
Madurai City, Madurai.

2. The Inspector of Police,
Karimedu Police Station,
Madurai.

3. Ramila
4. Panneerselvam
5. Ramuthai
6. Jesurajesh
7. Vimaladevi

.. Respondents

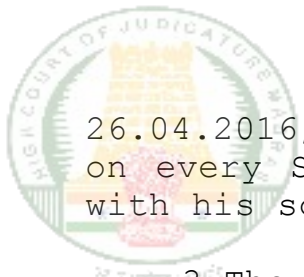
Prayer: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to direct the 2nd respondent to give police protection to the petitioner for having custody of the petitioner minor son namely Paveen 4 years old, from the 3rd respondent on every Sunday from morning 10.00 a.m to 5.00 p.m as per order passed in I.A.No.177 of 2016 in G.W.O.P.No.3 of 2016, dated 26.04.2016 by the Family court, Madurai.

For Petitioner : Mr.R.Murugappan
For Respondents 1&2 : Mr.M.Chandra Sekaran
Additional Public Prosecutor

ORDER

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

2.It is seen from records that there is a dispute with regard to the custody of the child that is pending between the petitioner and his wife who has been added as third respondent in this petition. The Family Court, Madurai had passed an order on



26.04.2016, permitting the petitioner to have the visitation right on every Sunday between 10.00 a.m. to 5.00 p.m., to spend time with his son.

3. The learned counsel for the petitioner would submit that the third respondent and her relatives are not permitting the petitioner to meet his son and they are causing threat to the petitioner. Therefore, this petition was filed by the petitioner before this Court seeking for police protection.

4. If the petitioner is prevented from meeting his son in violation of the order passed by the Family Court, Madurai, the petitioner has to file appropriate petition before the concerned Family Court and seek for police protection. Petitioner cannot invoke the jurisdiction of this Court under Section 482 of Cr.P.C and this Court cannot pass any parallel order by granting police protection to the petitioner.

5. Accordingly, this Criminal Original Petition is disposed of by giving liberty to the petitioner to move before the Family Court, Madurai, in order to redress his grievance.

Sd/-

Assistant Registrar (Records)

/True Copy/

Sub Assistant Registrar (CS-IV)

To

1. The Judge, Family Court, Madurai.
2. The Commissioner of Police,
Madurai City, Madurai.
3. The Inspector of Police,
Karimedu Police Station,
Madurai.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+ 1 CC TO Mr.R.MURUGAPPAN, ADVOCATE IN SR No. 90032

TM

TE/SKN/SAR-4 : 15/11/2018 : 2P/6C