

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.04.2019

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Cr1.OP No.6806 of 2018

C.Perumal @ Kurian

.. Petitioner

Vs

1. The Superintendent of Police,
Office of the Superintendent of Police,
Vellore District,
Vellore,
Tamil Nadu.
2. The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Vellore District,
Vellore,
Tamil Nadu.
3. The Inspector of Police,
Thirupattur Taluk Police Station,
Vellore District,
Vellore,
Tamil Nadu.
4. The Sub-Inspector of Police,
Thirupattur Taluk Police Station,
Vellore District,
Vellore,
Tamil Nadu.

5. T.K.Ravi

.. Respondents

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to direct the respondents to give police protection to the petitioner and his property based on complaint dated 25.01.2018 lodged by the petitioner.

For Petitioner : Mr.Prakash Adiapadam

For Respondents : M.Mohamed Riyaz, for R1 to 4
Additional Public Prosecutor.
No Appearance for R5

O R D E R

This petition has been filed seeking for police protection.

2.It is seen from records that the petitioner has already filed a suit in O.S.No.219 of 1998 before the District Munsif Court, Thirupattur, Vellore District. In the said suit, the petitioner has filed I.A.No.407 of 1998, seeking for interim injunction restraining the defendant from interfering the peaceful possession and enjoyment of the petitioner's property. The Court below has also granted an order of injunction in favour of the petitioner.

3.The learned counsel for the petitioner would submit that in spite of the interim order passed, the fifth respondent is continuously interfering the possession and enjoyment of the petitioner and he is causing threat to the petitioner and therefore, the petitioner gave a complaint to the respondent police seeking for police protection. Since the same was not considered, this petition has been filed seeking for appropriate direction.

4.The learned Additional Public Prosecutor would submit that the respondent police cannot give police protection in a case of this nature, since, admittedly, the suit is pending before the Court below.

5.Heard Mr.Prakash Adiapadam, learned Counsel for the petitioner and Mr.M.Mohamed Riyaz, learned Additional Public Prosecutor for the respondents police.

6.The petitioner in this case has admittedly obtained an order of injunction against the fifth respondent. The fifth respondent is continuously interfering the possession and enjoyment of the petitioner.

7.Considering the facts and circumstances, the third respondent is directed to conduct enquiry on the complaint dated 25.01.2018, lodged by the petitioner and pass suitable orders on merits and in accordance with law within a period of two weeks from the date of receipt of a copy of this order.

8.With the above directions, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (CS-VI)

//True Copy//

AT

Sub Assistant Registrar

To

1. The Superintendent of Police,
Office of the Superintendent of Police,
Vellore District,
Vellore,
Tamil Nadu.
 2. The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Vellore District,
Vellore,
Tamil Nadu.
 3. The Inspector of Police,
Thirupattur Taluk Police Station,
Vellore District,
Vellore,
Tamil Nadu.
 4. The Sub-Inspector of Police,
Thirupattur Taluk Police Station,
Vellore District,
Vellore,
Tamil Nadu.
 5. The Public Prosecutor,
High Court, Madras.
- +1 cc to M/s.Prakash Adiapada, Advocate, S.R.No.33575

KJ(CO)
SSM(03/05/2019).

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