

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.02.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.3331 of 2019

1.V.Rajan
2.Anandhi
3.Dilli

... Petitioners

Vs

The Inspector of Police,
E-9, Thazhapur Police Station,
Kancheepuram District.

... Respondent

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the respondent to consider the complaint dated 09.01.2019 and to direct the respondent to give necessary police protection to the petitioners.

For Petitioner : Mr.P.Vijendran

For Respondents : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

O R D E R

This petition has been filed seeking for police protection.

2. The learned counsel for the petitioner would submit that the petitioners have purchased the property from N.S.Vedhagiri and V.Rajan, power holders of the said property. The stranger has continuously being trouble to the petitioners and threatening them. Hence, the petitioners lodged a complaint before the respondent police. The respondent police referred to the jurisdictional RDO, Chengalpattu. The RDO, Chengalpattu passed an order dated 01.06.2003 that the private party has no right over the property. Despite of the order, the petitioners are not able to enjoy their property. Hence, the petitioner has filed the present petition with the aforesaid prayer.

3. The learned Additional Public Prosecutor would submit that the respondent police cannot give police protection in a

case of this nature, since, it is a land dispute and purely civil in nature.

4. Heard Mr.P.Vijendran, learned Counsel for the petitioners and Mr.Mohammed Riyaz, learned Additional Public Prosecutor for the respondent police.

5. In view of the above, the petitioners have to file an appropriate petition before the Court below and seek remedy. It is also possible for the petitioners to seek for police protection before the Court below, by filing an appropriate petition under Section 151 of Cr.P.C. The petitioners cannot maintain an independent petition before this Court seeking for police protection. The police cannot interfere in this case, unless, a specific direction is given by a competent Civil Court.

6. Accordingly, this Criminal Original Petition is disposed of, by giving liberty to the petitioners to workout their remedy before the Court below in the manner indicated herein above.

Sd/-

Assistant Registrar

//True copy//

Sub Assistant Registrar

lpp/jas

To

1. The Inspector of Police,
E-9, Thazhapur Police Station,
Kancheepuram District.

2.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.P.Vijendran, Advocate SR.No.11551

Cr1.O.P.No. 3331 of 2019

GMV (14/03/2019)