

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.02.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Cr1.O.P.No. 4790 of 2019

T.Gridhar Reddy

... Petitioner

Vs.

The State Represented by
The Inspector of Police,
D3 Police Station,
Coimbatore-641203.

... Respondent

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to direct the respondent police to give adequate police protection to the petitioners company property based on the representation dated 2nd February 2019.

For Petitioner : Mr.C.Arun Kumar

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

O R D E R

This petition has been filed seeking for a direction to the respondent police to give adequate police protection to the petitioners company property based on the representation dated 02.02.2019.

2. It is seen from records that the petitioner has already filed a suit in O.S.No.941 fo 2018 before the Principal Subordinate Judge, Coimbatore. In the said suit, the petitioner has filed I.A.No.655 of 2018, 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 inspite of the interim order passed, the defendants are continuously interfering the possession and enjoyment of the petitioner and they are 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.C.Arun Kumar learned Counsel for the petitioner and Mr.M.Mohamed Riyaz learned Additional Public Prosecutor for respondents .

6. The petitioner in this case has admittedly obtained an order of injunction against the defendants. The defendants are continuously interfering the possession and enjoyment of the petitioner. The petitioner has to file an appropriate petition before the Court below and initiate contempt proceedings. It is also possible for the petitioner to seek for police protection before the Court below, by filing an appropriate petition under Section 151 of Cr.P.C. The petitioner 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.

7. In view of the above, this Criminal Original Petition is disposed of, by giving liberty to the petitioner to workout his remedy before the Court below in the manner indicated herein above.

Sd/-

Assistant Registrar (CS-VIII)

//True copy//

Sub Assistant Registrar

lpp/vsn

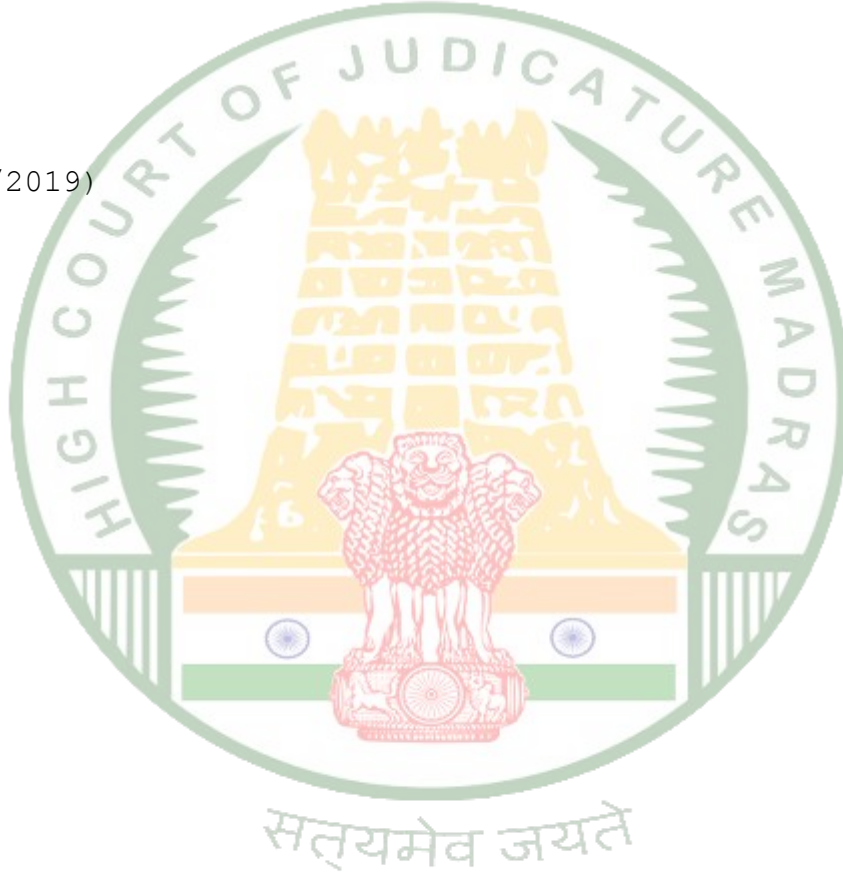
To

1.The Inspector of Police,
D3 Police Station,
Coimbatore-641203.

2. The Public Prosecutor,
High Court, Madras.

CrI.O.P.No. 4790 of 2019

RR(CO)
GMY(22/03/2019)



WEB COPY