

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.06.2019

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Crl.O.P.No.15629 of 2019

K.C.Gunasekaran

...Petitioner

Vs.

1.The State of Tamil Nadu,  
Rep. by the Superintendent of Police,  
Dharmapuri District at  
Dharmapuri.

2.The Sub Inspector of Police,  
Kottapatti Police Station,  
Dharmapuri District.

3.C.Udaya Suriyan

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Cr.P.C., to direct the respondents 1 and 2 to give police protection to the petitioner and his property comprised in S.No.1/3, Ammapettai Village, Harur Taluk, Dharmapuri District.

For Petitioner :Mr.C.K.M.Appaji

For Respondents: Mr.M.Mohamed Riyaz  
Additional Public Prosecutor  
for R1 & R2

O R D E R

This petition has been filed seeking for a direction to accord police protection.

2.There is a property dispute between the parties and the petitioner has already approached a competent Civil Court seeking for the relief of declaration and permanent injunction against the rival party. The petitioner has also obtained an order of interim injunction. It is the grievance of the petitioner that inspite of the order of interim injunction granted in favour of the petitioner, the 3rd respondent is continuing to interfere with the possession and caused threat to the petitioner.

3.In a case of this nature, this Court cannot independently exercise its jurisdiction under Section 482 of Cr.PC. If there is violation of the order of injunction and the petitioner requires police protection, the petitioner has to approach the same Civil Court and seek for the remedy and the Civil Court has vide powers to grant such orders.

4.In the result, this Criminal Original petition is disposed of by giving liberty to the petitioner to approach the Competent Civil Court where, the suit is pending and seek for appropriate remedy.

Sd/-  
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The Superintendent of Police,  
Dharmapuri District  
Dharmapuri.
2. The Inspector of Police,  
Kottapatti Police Station,  
Dharmapuri District.
3. The Public Prosecutor,  
High Court of Madras.

+1cc to Mr.C.K.M.Appaji, Advocate, S.R.No.44957

Cr1.O.P.No.15629 of 2019

CA(CO)

RRS (11/07/2019)

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