

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.06.2019

CORAM :

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CrI.O.P.No.15383 of 2019

N.Gnanaprakasam

.. Petitioner

Vs.

1. The Superintendent of Police,
Kancheepuram District.

2. The Inspector of Police,
B-2, Vishnu Kanchi Police Station,
Kancheepuram.

.. Respondents

Criminal Original Petition filed under Section 482 of Cr.P.C. to direct the 2nd Respondent/Police to provide 'Police Protection' to the Petitioner for his life and on the life of the members of his family, his property etc. on the basis of the Petitioner's complaints dated 25.03.2019 and 30.05.2019.

For Petitioner : Mr.A.L.Namasivayam

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 petitioner claims to be a tenant in the property and attempts are being made by the landlord to evict the petitioner by force. Therefore, the petitioner filed a suit in O.S.No.54 of 2019 before the learned Additional District Munsif Court, Kancheepuram praying for permanent injunction against the landlord not to interfere with the peaceful possession and enjoyment of the property unless otherwise by due process of law.

3.Along with the suit an interim injunction petition was also filed in I.A.No.140 of 2019 and the said petition is pending.

4.While so, the landlord with the help of rowdy elements forcibly entered into the property and caused huge damage to the property. Therefore, the complaint was given to the respondent police, resulting in the registration of an F.I.R. in Crime

No.178 of 2019 against the accused persons for an offence under Sections 147, 148, 294(b), 323, 448, 506(2) of IPC and 3(1) of Tamil Nadu Public Property (Prevention of Damage & Loss) Act.

5.Mr.A.L.Namasivayam, learned counsel appearing on behalf of the petitioner submitted that inspite of the civil suit pending and inspite of an F.I.R. registered by the respondent police, the threat continuous and therefore left with no other option, the present petition has been filed before this Court.

6.Heard the learned Additional Public Prosecutor appearing on behalf of the respondents.

7.In the facts and circumstances of the case, there shall be a direction to the 2nd respondent to immediately take action against the accused persons in Crime No.178 of 2019 and prevent them from exerting any threat to the petitioner. The 2nd respondent shall direct the landlord and the persons claiming under him to workout their remedy in the pending suit in O.S.No.54 of 2019. If inspite of the same there is any threat to the petitioner and any attempt made to illegally trespass into the property, immediate action shall be taken against the accused persons.

8.This Criminal Original Petition is disposed of with the above direction.

vs

Sd/-
Assistant Registrar(CS-IX)

//True Copy//

Sub Assistant Registrar

To

1.The Superintendent of Police,
Kancheepuram District.

2.The Inspector of Police,
B-2, Vishnu Kanchi Police Station,
Kancheepuram.

3.The Public Prosecutor,
High Court, Madras.

+lcc to Mr.AL.Namasivayam, Advocate, SR.No.48924

+lcc to Mr.AL.Namasivayam, Advocate, SR.No.48924

(dated: 19/06/2019)

CrI.O.P.No.15383 of 2019

Kak(18/06/2019)