

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.06.2019

CORAM :

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Cr1.O.P.No.15582 of 2019

N.Yamunadevi

.. Petitioner

Vs.

1.The Superintendent of Police,
Tiruppur District,
Tiruppur.

2.The Deputy Commissioner of Police,
Tiruppur.

3.The Inspector of Police,
Tiruppur Rural Police Station,
Tiruppur District.

4.R.Pushpa

5.R.Muralidharan

.. Respondents

Criminal Original Petition filed under Section 482 of Cr.P.C. to direct the 3rd respondent to provide police protection to the petitioner and her company situate in S.F.No.289, Nallur Village, Tiruppur Town and Taluk and New Sub Division No.289/2 to an extent of 83 cents along with the terraced building bearing Door No.4, Muthu Nagar, Puniyavathi Salai, Vijayapuram Pirivu, Kangeyam Road, Tiruppur with the appurtenant attached thereon forthwith.

For Petitioner : Mr.N.Anand

For Respondents : Mr.M.Mohamed Riyaz (for R1 to R3)
Additional Public Prosecutor

O R D E R

This petition has been filed seeking for police protection.

2.It is seen from the records that the petitioner has already filed a suit in O.S.No.135 of 2019 before the learned Principal Sub Court, Tiruppur against the counter party seeking

for the relief of permanent injunction. In the said suit, the petitioner had also filed an I.A.No.299 of 2019 and an order of interim injunction was also passed by the trial Court on 16.04.2019.

3.It is the grievance of the petitioner that inspite of the said order, the counter party is interfering with the possession and enjoyment of the property and therefore a representation was given before the respondent police seeking for police protection. Since no action has been taken, the present petition has been filed.

4.Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing on behalf of the respondents 1 to 3.

5.The relief as sought for by the petitioner cannot be granted by this Court in exercise of its jurisdiction under Section 482 of Cr.P.C. If the counter party has violated the order of injunction and causing threat to the petitioner, it is always left open to the petitioner to file an appropriate petition seeking for police protection and also for contempt of the order of the Court below. The Civil Court has wide powers to grant police protection under Section 151 of C.P.C., on consideration of the facts and circumstances of the case.

6.This Criminal Original Petition is disposed of by giving liberty to the petitioner to workout her remedy before the Civil Court in accordance with law.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

vs

To

1.The Superintendent of Police,
Tiruppur District,
Tiruppur.

2.The Deputy Commissioner of Police,
Tiruppur.

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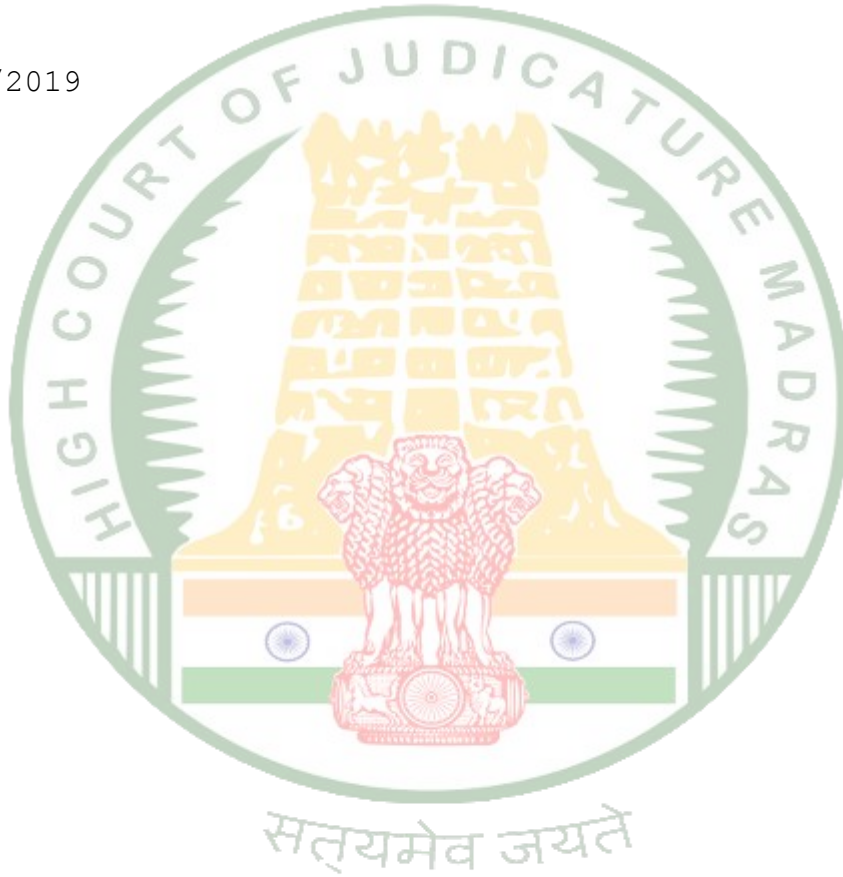
3.The Inspector of Police,
Tiruppur Rural Police Station,
Tiruppur District.

4.The Public Prosecutor,
High Court, Madras.

+lcc to Mr.N.Anand, Advocate Sr.49608

Crl.O.P.No.15582 of 2019

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srg 20/06/2019



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