

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :12.07.2019

CORAM

THE HONOURABLE Mr.JUSTICE N. ANAND VENKATESH

Cr1.O.P.No.18439 of 2019

B.Karthikeyan

... Petitioner

Vs.

1.The State represented by,
The Inspector General of Police,
Tamil Nadu Police Department,
Chennai.

2.The Superintendent of Police,
Office of the Superintendent of Police,
Kancheepurm.

3.The Deputy Superintendent of Police,
Office of the Superintendent of Police,
Kancheepuram.

4.The Inspector of Police,
B-1, Sivakanchi Police Station,
Kancheepuram.

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the respondents to give police protection to the petitioner and his family members based on the complaints dated 02.05.2019, 09.05.2019, 11.05.2019 and 06.07.2019 submitted by the petitioner and his wife.

For Petitioner : Mr.Prakash Adiapadam

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

O R D E R

This petition has been filed seeking for police protection to the petitioner and his family members.

2.The case of the petitioner is that the petitioner had taken on lease a property in a Shopping Mall and he had invested large sums of money for putting up a shop. There was a dispute with the landlord on the ground that the petitioner did not regularly pay the rent. Therefore attempts were made to evict the petitioner. The petitioner filed O.S.No.53 of 2019 before the Principal District Munsif Court, Kancheepuram seeking for the relief of permanent injunction not to evict him unless and otherwise by due process of law. While this suit was pending and notice was ordered to the other side, the petitioner claims who have been illegally evicted with the help of henchmen and all his properties were taken away. It is the further grievance of the petitioner that the counter party is a powerful person with political background and therefore there is a potential thereat for the life of the petitioner and his family members. The petitioner was forced to go on hiding and already a man missing FIR is pending in Crime No.175 of 2019 before the Sivakanchi Police Station, Kancheepuram. The petitioner has also given a separate complaint dated 06.07.2019 to the respondent police seeking for taking action against the accused persons and to provide him and his family members with police protection.

3.The learned Counsel for the petitioner submitted that the inter se dispute with the landlord will be resolved by approaching the Competent Civil Court and already steps have been taken by the petitioner to recover the possession which was illegally taken away from the petitioner. The learned Counsel submitted that he is confining himself in this petition only in so far as registering an FIR based on the complaint given by the petitioner and directing the police to give police protection to the petitioner and his family members.

4.Heard the learned Additional Public Prosecutor appearing on behalf of the respondent police.

5.Taking into consideration, the facts and circumstances of the case, this Court does not want to go into the landlord tenant dispute in this petition and it is left open to the petitioner to workout his remedy in this regard before the Competent Civil Court. There shall be a direction to the 4th respondent to proceed further with the investigation in Crime No.175 of 2019 by taking into account all the subsequent events that have happened in this case and take action against the accused persons in accordance with law. The 4th respondent shall ensure that there is no threat exerted on the petitioner or his family members by any of the counter parties.

6.This Criminal Original Petition is disposed of with the above directions.
jas/vs

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

- 1.The Inspector of Police,
Tamil Nadu Police Department,
Chennai.
- 2.The Superintendent of Police,
Office of the Superintendent of Police,
Kancheepuram.
- 3.The Deputy Superintendent of Police,
Office of the Superintendent of Police,
Kancheepuram.
- 4.The Inspector of Police,
B-1, Sivakanchi Police Station,
Kancheepuram.
- 5.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.Prakash Adiapadam, Advocate, SR.No.59161

सत्यमेव जयते

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Kak(15/07/2019)

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