



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 16.07.2019
CORAM
THE HONOURABLE Mr.JUSTICE N. ANAND VENKATESH

WEB COPY

Crl.O.P.No.18757 of 2019

M.Kannappa Chettiar

... Petitioner

Vs.

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

2.The State Rep by its,
The Inspector of Police,
Ginge Police Station,
Gingee.

3.V.Bhoovaragramoorthi

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to give police protection to the petitioner and his land comprised in Survey Number:21/1, 21/2 situated at Sakarapuram, Gingee (Taluk), Villupuram District.

For Petitioner	: Mr.K.Myilsamy
For Respondents	: Mr.M.Mohamed Riyaz (for R1 & R2) Additional Public Prosecutor

O R D E R

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

2.It is seen from records that earlier the petitioner had approached this Court and filed Crl.O.P.No.16974 of 2013 seeking for similar prayer and this Court by an order dated 05.07.2013 had directed the respondent police to give protection to the petitioner, if on enquiry the police comes to know that there is a threat to the life of the petitioner. The petitioner has given another representation to the respondent police on 22.06.2019 on the ground that he is threatened by the 3rd respondent. This complaint was taken on file and pending in CSR.No.582 of 2019. Since no action was taken, the present petition has been filed seeking for police protection.



3. There is already a civil suit pending between the parties in O.S.No.33 of 2012 on the file of the District Munsif Court, Gingee. The inter se right regarding the property has to be decided by the Civil Court. If in the meantime there is any disturbance from the counter parties, the petitioner has to seek for appropriate interim orders against the counter parties only before the Civil Court. If necessary the petitioner can also file a petition seeking for police protection before the very same Civil Court under Section 151 of C.P.C. The petitioner cannot parallelly invoke the jurisdiction of this Court under Section 482 of Cr.P.C.

4. In the result, this Criminal Original Petition is disposed of by giving liberty to the petitioner to file an appropriate petition before the Civil Court where the suit is pending in O.S.No.33 of 2012 and workout his remedy in accordance with law.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

jas/vs

To

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

2. The Inspector of Police,
Ginge Police Station,
Gingee.

3. The Public Prosecutor,
High Court, Madras.

+lcc to Mr.K.Myilsamy, Advocate sr.60169

Cr1.O.P.No.18757 of 2019

ssd(co)
nr 22/08/2019