

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.07.2019

CORAM

THE HONOURABLE Mr.JUSTICE N. ANAND VENKATESH

Crl.O.P.No.19769 of 2019

K.G.Subburaman

... Petitioner

Vs.

1. State by Inspector of Police (L & O),
Periyanaickenpalayam,
Coimbatore.

2. R.Ravichandran

.... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the 2nd respondent police to give protection based on the complaint given by the petitioner dated 18.06.2019 within a time frame that may be fixed by this Court.

For Petitioner : Mr.J.Franklin

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

O R D E R

This petition has been filed seeking for police protection for the life and property of the petitioner.

2.It is seen from records that a civil suit has already been filed by the petitioner against the 2nd respondent in O.S.No.1554 of 2016 before the III Additional District Munsif Court, Coimbatore. In the said suit the petitioner has also filed a petition for interim injunction against the 2nd respondent and the Court below by an order dated 22.01.2018 has allowed the petition and granted an order of interim injunction in favour of the petitioner.

3.The grievance of the petitioner is that inspite of the order of injunction passed by the Court below, the 2nd respondent is causing threat and is interfering with the possession and enjoyment of the property. The petitioner has also given a complaint before the respondent police on 18.06.2019 and since

no action has been taken on the complaint, the present petition has been filed before this Court.

4.Heard the learned Counsel for the petitioner and the learned Additional Public Prosecutor appearing on behalf of the respondent police.

5.The relief as sought for by the petitioner before this Court can also be sought for before the Court below by filing an application under Section 151 of C.P.C. The Court below will be in a proper position to deal with the petition since the entire materials are before the Court and already the Court below had granted an injunction in favour of the petitioner. This Court does not want to parallely entertain the petition for police protection.

6.In the result, this Criminal Original Petition is disposed of by giving liberty to the petitioner to move an appropriate petition before the Court below seeking for police protection and the Court below shall consider the same in accordance with law.

Sd/-
Assistant Registrar (Insp.Cell)

//True Copy//

Sub Assistant Registrar

jas/vs

To

1. The Inspector of Police (L&O),
Periyanaickenpalayam,
Coimbatore.

2. The Public Prosecutor,
High Court, Madras.

+1 cc to M/s.J.Franklin, Advocate, S.R.No.63649

SJ(CO)
SSM(29/07/2019)

CrI.O.P.No.19769 of 2019