

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.12.2019

CORAM:

THE HONOURABLE Mr.JUSTICE P.RAJAMANICKAM
Crl.OP.No.33123 OF 2019

A.R.Kuzanthian

... Petitioner

Vs.

State Rep by

The Inspector of Police,
J.J.Nagar Police Station,
Mugappair, Chennai -600 037.

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C, to direct the respondent to provide Police Protection to the petitioner based on his representation dated 28.11.2019.

For Petitioner : Mr.C.T.Udayappan
For Respondent : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the respondent to provide police protection to the petitioner based on his representation dated 28.11.2019.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent.

3.The learned counsel for the petitioner has submitted that the petitioner is a landlord and he leased out a shop to one Lakshmanan three years ago and in the said shop, the said Lakshmanan was running two wheeler mechanic shop. He further submitted that the said Lakshmanan 18 months ago has locked the said shop and went away and for the 18 months, the petitioner is not having any information about the whereabouts of the said Lakshmanan and hence, he lodged a complaint to the respondent to break open the lock, but, the respondent refused to give police protection.

4. The learned Additional Public Prosecutor has submitted that unless the petitioner takes possession properly from the tenant, the respondent cannot give any police protection.

5. Admittedly, the petitioner has leased out the shop to one Lakshmanan and therefore, he has to take possession by filing eviction petition or civil suit and has to take

possession and only thereafter, if necessary, he can approach the respondent for police protection. Therefore, at this stage, this petition is not maintainable.

6. With the aforesaid observation, this Criminal Original Petition is disposed of.

Sd/-
Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

Vv/ebsi

To

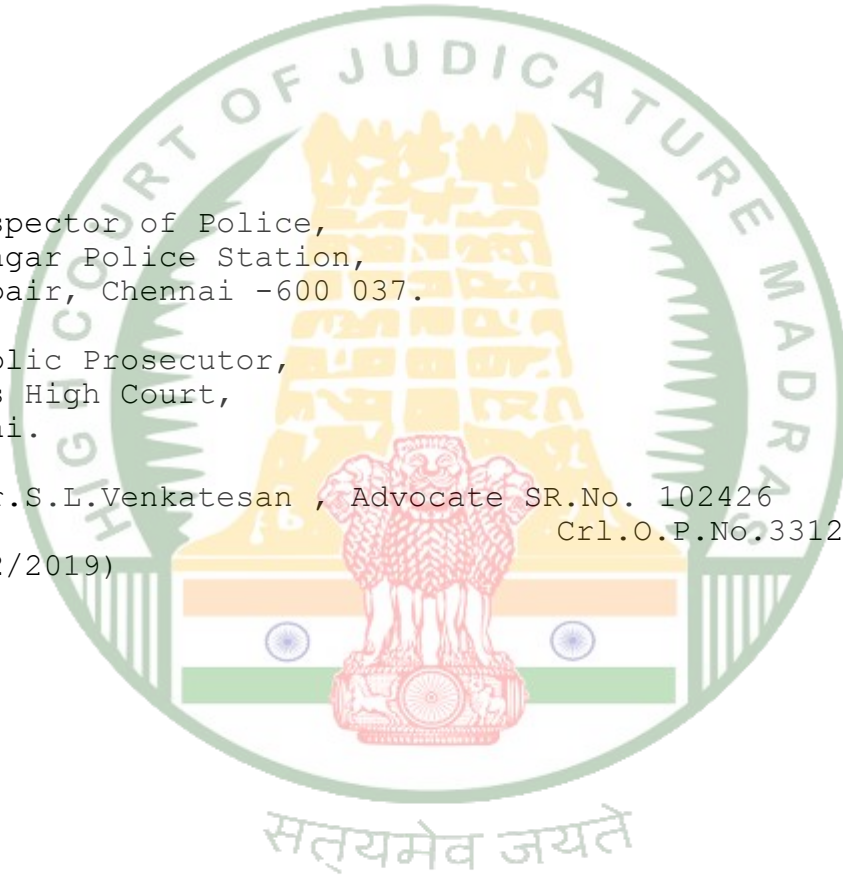
1. The Inspector of Police,
J.J.Nagar Police Station,
Mugappair, Chennai -600 037.

2. The Public Prosecutor,
Madras High Court,
Chennai.

+1cc to Mr.S.L.Venkatesan , Advocate SR.No. 102426

CrI.O.P.No.33123 OF 2019

A.SK(11/12/2019)



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