



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.07.2019

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN
CRL.O.P.(MD).No.8987 of 2019

Thomson Britto, F. : Petitioner

Vs.

1.The Superintendent of Police,
Kanyakumari District,
Nagercoil.

2.The Inspector of Police,
Nithiravilai Police Station,
Kanyakumari District.

3.A.Yesudhasan

4.Y.Mary Anjali

5.Y.Maria Vijayan

: Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of the Criminal Procedure Code praying to direct the second respondent police to afford police protection to the petitioner for living in his house bearing Door No.16-16C of Ezhudesam Town Panchayath in Kanyakumari District.

For Petitioner : Mr.J.John Jayakumar

For Respondents 1&2 : Mr.K.K.Ramakrishnan,
Additional Public Prosecutor

O R D E R

This petition has been filed seeking a direction to the second respondent police to afford police protection to the petitioner for living in his house bearing Door No.16-16C of Ezhudesam Town Panchayath in Kanyakumari District.

2. The grievance of the petitioner is that, he was working as an Officer in a Ship, Mumbai Based Company. The petitioner's wife and children are residing at Trivandrum and they kept the house under lock and key. Now, the respondents 3 to 5 broke up the lock and they are keeping the house. In the above circumstances, the petitioner has given a complaint before the second respondent police to take action against them, but, no action has been taken so far. In the above circumstances, the present petition has been filed seeking police protection.



3. Today, when the matter came up for hearing, Mr.K.K.Ramakrishnan, learned Additional Public Prosecutor appearing for the first and second respondents, on instructions, submitted that based on the complaint given by the petitioner, enquiry was conducted and the enquiry reveals that there is a money dispute between the petitioner and the respondents 3 to 5 and they are in occupation of the house now and during enquiry, the petitioner also appeared and gave a statement that he would seek appropriate remedy before the Civil Court concerned. Recording the said statement, the complaint has already been closed.

4. As the petitioner's complaint has already been enquired into and closed by the second respondent, based on the statement given by the petitioner, the relief sought for by the petitioner in the present petition cannot be granted. Hence, the Criminal Original Petition is dismissed. If at all the petitioner has any grievance, it is open to him to work out his remedy in the manner known to law.

Sd/-

Assistant Registrar ()

// True Copy //

Sub Assistant Registrar(CS)

To

1.The Superintendent of Police,
Kanyakumari District,
Nagercoil.

2.The Inspector of Police,
Nithiravilai Police Station,
Kanyakumari District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.J.JOHN JAYAKUMAR, Advocate (SR-74989[F] dated
12/07/2019)

SML

Order made in

CRL.O.P. (MD) .No.8987 of 2019

Dated: **12.07.2019**