



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.07.2019

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

WEB COPY

**Crl.O.P.(MD) No.9850 of 2019**

T.Karuppasamy

: Petitioner

Versus

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

2.The Sub-Inspector of Police,  
Thiruthangal Police Station,  
Virudhunagar District.

3.P.Murugan

4.P.Murugan

: Respondents

**Prayer:** Petition is filed under Section 482 of the Criminal Procedure Code praying to direct the second respondent to provide police protection to the life and limbs of the petitioner and his saw mill 'Sri Agnikaruppasamy Saw Mill', No.756, Sri Renganagar, Sivakasi, Virudhunagr Main Road, Thiruthangal, Sivakasi Taluk, Virudhunagar District and to take legal actions against those persons who involved in criminal activities, by considering the petitioner's complaint dated 18.06.2019.

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

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### **O R D E R**

This petition has been filed seeking police protection.

2. The grievance of the petitioner is that, he is a lessee under the third and fourth respondents and they were taking steps to evict the petitioner illegally. Hence, he filed a suit seeking for injunction restraining the third and fourth respondents from evicting him. The suit is pending. Now, pending suit, the third and fourth respondents, with the help of hirelings, threatened the petitioner to vacate the site. In the above circumstances, the present petition has been filed seeking for the aforesaid relief.



3. Mr.K.K.Ramakrishnan, learned Additional Public Prosecutor appearing for the first and second respondents, on instructions, submitted that earlier, the petitioner has filed a similar complaint before the respondent police and police protection was also given. Thereafter, the complaint has been closed. Now, once again, he came with similar complaint. When the civil suit is pending between the parties, the police cannot interfere with the civil right.

4. Considering the fact that a civil suit is pending between the parties, the police is not expected to interfere in the civil dispute. Hence, the relief sought for by the petitioner cannot be granted and the Criminal Original Petition is dismissed accordingly. However, if any complaint is lodged alleging criminal act by the third and fourth respondents, it is always open to the respondent police to enquire into the same.

Sd/-

Assistant Registrar (A.S)

// True Copy //

Sub Assistant Registrar(CS )

SML

To

- 1.The Superintendent of Police,  
Virudhunagar District,  
Virudhunagar.
- 2.The Sub-Inspector of Police,  
Thiruthangal Police Station,  
Virudhunagar District.
- 3.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

1 CC to Mr.M.SOLAISAMY, Advocate SR-75597

Order made in  
**Cr1.O.P.(MD) No.9850 of 2019**  
**Dated: 12.07.2019**

CS(25.07.2019) 2P 5C