



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.09.2019

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THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P (MD) No.11882 of 2019

M.Sekar

... Petitioner

Vs

1.The Inspector of Police (L&O)
Anna Nagar Police Station,
Madurai District.

2.The Sub Inspector of Police (L&O)
Anna Nagar Police Station,
Madurai District.

3.M.Selvam

4.M.Paraman

... Respondents

PRAYER: Criminal Original Petitions filed under Section 482 of Cr.P.C, praying to direct the respondents 1 and 2 to provide police protection to the petitioner to peacefully possess and run his Flower vending business in Mattuthavani Flower Market shop No.285, Madurai.

For Petitioner : Mr.T.K.Gopalan

For Respondent : Mr.K.Suyambulinga Bharathi,
G.A.(Crl. Side) for RR1 and 2

Service awaited for RR3 and 4

ORDER

This petition has been filed by the petitioner to direct the respondents 1 and 2 to provide police protection to the petitioner to peacefully possess and run his Flower vending business in Mattuthavani Flower Market shop No.285, Madurai.

2.Heard both sides.

3.Perusal of the records would show that the dispute between the petitioner and the respondents 3 and 4 is civil in nature and

therefore, the petitioner filed O.S.No.590 of 2018 before the Madurai Taluk District Munsif Court and he has also filed I.A.No.713 of 2018 and injunction was also granted in favour of the petitioner and on the strength of the injunction, they sought for police protection with the respondents 1 and 2. Further, it is seen that the petitioner and the respondents 3 and 4 are none other than the own brothers and on the complaint lodged by the petitioner, the 2nd respondent conducted enquiry and they undertook that they approach before the Civil Court for appropriate relief and recording the said submission, the complaint of the petitioner has been closed.

4.Now, the learned counsel appearing for the petitioner would submit that the petitioner again is ready and willing to approach the second respondent with a fresh complaint and the same may be considered by the 2nd respondent.

5.Considering the facts and circumstances of the case, the petitioner is directed to approach the second respondent with a fresh complaint and on receipt of the same, the second respondent is directed to conduct an enquiry with the petitioner as well as the respondents 3 and 4 after issuance of notice to them and pass orders, on merits and in accordance with law, within a period of two weeks from the date of receipt of fresh complaint.

6.With the above direction, this criminal original petition is disposed of.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar(CS)

To

- 1.The Inspector of Police (L&O)
Anna Nagar Police Station,
Madurai District.
- 2.The Sub Inspector of Police (L&O)
Anna Nagar Police Station,
Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



+1 CC to M/s.T.K.GOPALAN, Advocate (SR-86347[F] dated 12/09/2019)

+1 CC to M/s.V.PANDIYAN, Advocate (SR-86685[F] dated 13/09/2019)

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Order made in
CRL.O.P (MD) No.11882 of 2019
12.09.2019

Arul
JMN(17.09.2019) 3P : 6C