



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.11.2019

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P. (MD) No.15823 of 2019

WEB COPY

K.K.M.Muthiah Kone

... Petitioner

Vs.

1.K.K.M.Balakrishnan

2. The State through
The Inspector of Police (L&O)
E-3, Anna Nagar Police Station
Madurai City

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the second respondent police to give protection as per the court judgment passed in O.S.No.1182 of 2011.

For Petitioner : Mr.T.K.Gopalan

For Respondents : Mr.K.Suyambulinga Bharathi
No.2 Government Advocate(Crl.Side)

ORDER

This petition has been filed seeking direction to direct the second respondent police to give protection as per the court judgment passed in O.S.No.1182 of 2011.

2. There is a dispute between the petitioner and the first respondent in respect of shop No.J239 situated at Flower Market Complex near Matthuthavani, Madurai Town ad-measuring 300 Sq.Ft which was allotted by an order dated 06.10.2006. In this regard, the first respondent filed a suit for permanent injunction in O..S.No. 1182 of 2011 on the file of the Additional District Munsif, Madurai, which was dismissed. Against which the first respondent filed an appeal suit in A.S.No.19 of 2019 and it is pending.

3. The learned Government Advocate(Crl.Side) would submit that on the complaint given by the petitioner, the second respondent conducted enquiry and closed the same as civil in nature.

4. Admittedly there is a civil dispute between the petitioner and the first respondent. At this stage Police protection cannot be given to the petitioner.



5. Hence the Criminal Original Petition is dismissed. However, the petitioner is at liberty to approach the concerned civil court for appropriate relief.

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Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

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To

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

Copy to: The Additional District Munsif, Madurai.

+1 CC to M/s.T.K.GOPALAN, Advocate SR-95520.

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01.11.2019

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