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IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 04.03.2020
CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P.No.2395 of 2020

Annakodi

... Petitioner/Complainant

Vs.

1. The State rep by
The Superintendent of Police,
Coimbatore Rural, Coimbatore.

2. The Inspector of Police,
Kinathukadavu Police Station,
Coimbatore District

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to direct the first respondent to give police protection through second respondent to do cultivation in property situated at Kodangi Palayam Village, comprised in Ka.Sa.Nos.42/2D and 46/A2, 46/B2, 30/A2, 32/2 Ka.Sa.No.95 admeasuring an extent of 3 acres and 43 cents by virtue of settlement deed document No.756 of 2017 dated 31.03.2017 registered at SRO Negamam and also having patta vide document No.58 & 222 on the basis of complaint dated 14.12.2019.

For Petitioner : Mr. B.Nambiselvan

For Respondents : Mr.M.Mohamed Riyaz
Additional Public Prosecutor.

O R D E R

This petition has been filed to direct the first respondent to give police protection through second respondent to do cultivation in property situated at Kodangi Palayam Village, comprised in Ka.Sa.Nos.42/2D and 46/A2, 46/B2, 30/A2, 32/2 Ka.Sa.No.95 admeasuring an extent of 3 acres and 43 cents by virtue of settlement deed document No.756 of 2017 dated 31.03.2017 registered at SRO Negamam and also having patta vide document No.58 & 222 on the basis of complaint dated 14.12.2019.



2. The learned counsel for the petitioner would submit that the petitioner gave a complaint to the respondent police seeking for police protection. Since the same was not considered, this petition has been filed seeking for appropriate direction.

3. The learned Additional Public Prosecutor would submit that the respondent police cannot give police protection in a case of this nature.

4. Heard Mr.B.Nambiselvan, learned counsel appearing for the petitioner and Mr.M.Mohamed Riyaz, learned Additional Public Prosecutor appearing for the respondents.

5. The petitioner has to file an appropriate petition before the Court below and initiate contempt proceedings. It is also possible for the petitioner to seek for police protection before the Court below, by filing an appropriate petition under Section 151 of Cr.P.C. The petitioner cannot maintain an independent petition before this Court seeking for police protection. The police cannot interfere in this case, unless, a specific direction is given by a competent Civil Court.

6. In view of the above, this Criminal Original Petition is disposed of, by giving liberty to the petitioner to workout her remedy before the Court below in the manner indicated herein above.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

1. The Superintendent of Police,
Coimbatore Rural,
Coimbatore.

2. The Inspector of Police,
Kinathukadavu Police Station,
Coimbatore District.

3. The Public Prosecutor,
High Court, Madras.



+1 cc to Mr.B.Nambiselvan Advocate sr20163

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