

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.03.2020

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P.No. 4692 of 2020

Dharma Lingam

... Petitioner

Vs.

1.The Superintendent of Police,
The Office of Superintendent of Police,
Villupuram.

2.The Assistant Superintendent of Police,
The Office of Assistant Superintendent of Police,
Villupuram.

3.The Inspector of Police,
Kandamangalam Police Station,
Kandamangalam, Villupuram.

4.P. Vaithilingam

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. Praying, to direct the respondents to give the police protection to the petitioner and his family members and consider the representation dated 21.02.2020.

For Petitioner : Mr.R. Prem Anandhan

For Respondents: Mr.M. Mohamed Riyaz
Additional Public Prosecutor
for R1 to R3

O R D E R

This petition has been filed seeking for police protection to the petitioner and his family members and consider the representation dated 21.02.2020.

2. It is seen that the third respondent has conducted an enquiry on the petitioner's representation dated 21.02.2020 and the civil dispute is pending between the petitioner and the fourth respondent, which is civil in nature.

3. The learned counsel for the petitioner would submit that the fourth respondent is causing threat to the petitioner and therefore, the petitioner gave a complaint to the respondents police seeking for police protection. Since the

same was not considered, this petition has been filed seeking for appropriate direction.

4. The learned Additional Public Prosecutor would submit that the respondents police cannot give police protection in a case of this nature, since, admittedly the suit is pending before the Court below.

5. Heard Mr.R.Prem Anandhan, learned Counsel for the petitioner and Mr.Mohamed Riyaz, learned Additional Public Prosecutor for the respondents police.

6. The petitioner has to file an appropriate petition before the Court below and initiate contempt proceedings. 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.

7. In view of the above, this Criminal Original Petition is dismissed, by giving liberty to the petitioner to workout his 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,
The Office of Superintendent of Police,
Villupuram.
 - 2.The Assistant Superintendent of Police,
The Office of Assistant Superintendent of Police,
Villupuram.
 - 3.The Inspector of Police,
Kandamangalam Police Station,
Kandamangalam, Villupuram.
 - 4.The Public Prosecutor,
High Court, Madras.
- +lcc to Mr.R.Prem Anandhan, Advocate, SR.No.18828

GP(CO)

rli(21/05/2020)