

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.03.2020

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Cr1.O.P.No.5406 of 2020

Selvi.R.Harsha

... Petitioner

Vs.

1. The Superintendent of Police
O/o.Superintendent of Police Office
Coimbatore 641 018

2. The Deputy Superintendent of Police
Periyanaikanpalayam
Coimbatore District

3. The Inspector of Police
Mettupalayam Police Station (L & O)
Mettupalayam
Coimbatore District

4. Vasanth Kumar ... Respondents

Prayer :- Criminal Original Petition filed under Section 482 Cr.P.C. to direct the 3rd respondent to consider the petitioner's representation dated 24.02.2020 to give a police protection for the life and liberty to the petitioner and her property.

For Petitioner : Mr.T.Arul

For Respondents : Mr.M.Mohamed Riyaz

Addl. Public Prosecutor for R1 to R3

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O R D E R

This petition has been filed seeking for police protection for the life and liberty to the petitioner and to consider the petitioner's representation dated 24.02.2020.

2. The case of the petitioner is that the petitioner is the absolute owner of the property to an extent of 13.48 acres of Agricultural land-coconut grove situated at Door No.20, Vellipalayam Road, Chikkadasam Palayam Village, Mettupalayam

Taluk, Coimbatore District by virtue of a registered Will executed by her father dated 07.07.2007 as Doc.No.131 of 2007. Her father Rangasamy died on 21.06.2013. When she was a minor, one Bose @ Muthusamy has obtained signature from her mother. The said Bose @ Muthusamy died last month. His son Vasantharaj in order to grab the petitioner's property, has threatened her and her mother with dire consequences. Thereafter, he lodged a false complaint against the petitioner's mother with the 3rd respondent. When the petitioner's mother appeared for enquiry, she was forced to sign on the written stamp papers. Therefore, the petitioner has lodged a complaint with respondents 1 and 3 seeking police protection to the petitioner's property and her life. But, till date the said complaint has not been registered by the respondent police. Hence, this petition.

3.The learned Additional Public Prosecutor would submit that there is a civil dispute between the petitioner and the fourth respondent and the police cannot give police protection in a case of this nature.

4.Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents 1 to 3.

5.The petitioner has to file a suit before the Court below. 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.

सत्यमेव जयते

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1.The Superintendent of Police
O/o.Superintendent of Police Office
Coimbatore 641 018

2.The Deputy Superintendent of Police
Periyanaikanpalayam
Coimbatore District

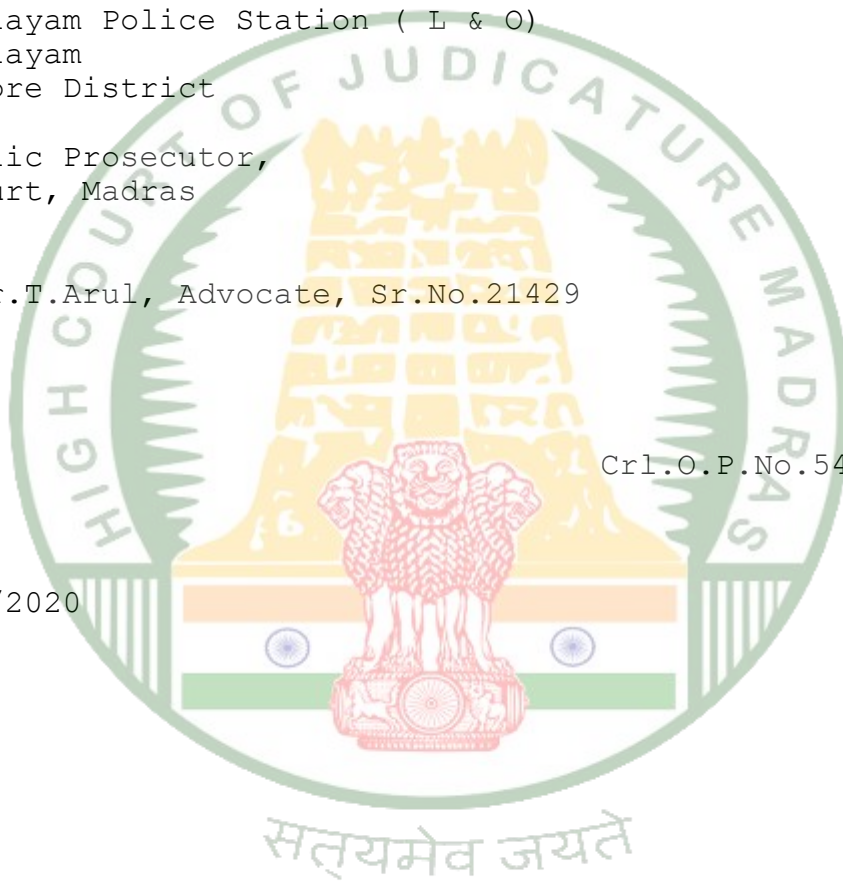
3.The Inspector of Police
Mettupalayam Police Station (L & O)
Mettupalayam
Coimbatore District

4.The Public Prosecutor,
High Court, Madras

+1cc to Mr.T.Arul, Advocate, Sr.No.21429

Crl.O.P.No.5406 of 2020

RGN (CO)
Jas/29/05/2020



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