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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.03.2020

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P.No.6008 of 2020

Mr. Jose Ukkuru ... Petitioner/Complainant

Vs.

1. The Commissioner of Police,
Commissioner Office,
Coimbatore - 641 018.
2. The Inspector of Police,
Varihty Hall Road Police Station,
Varhity Hall Road,
Coimbatore - 641 001.
3. Mr.S.Abdul Majid
4. Mrs. S.Jashmeen
5. A.Mustaffa ... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to direct the second respondent to consider the petitioner's representation dated 06.03.2020 to give a police protection for life and liberty to the petitioner and his property.

For Petitioner :Mr. T.Arul

For Respondents :Mr.M.Mohamed Riyaz (for R1 & R2)
Additional Public Prosecutor.

O R D E R

This Criminal Original Petition has been filed to direct the second respondent to consider the petitioner's representation dated 06.03.2020 to give a police protection for life and liberty to the petitioner and his property.

2. It is seen from records that the petitioner's father late P.V.Ukkuru has taken the property situated at Door No.647-649 N.H.Road, Coimbatore - 641 001 an extend of 3 cents vacant land 65 years back, on monthly rent for running business under the name and style of M/s. P.V.Ukkuru International Trade for storing Iron, Steel and other building materials. After the demise of the petitioner's father in the year 1999 the petitioner is looking after the business of P.V.Ukkuru International Trade as Proprietor. The petitioner



is paying monthly rental, water tax, Electricity bill and property tax regularly.

3. The learned counsel for the petitioner would submit that the present land owners the 3rd and 4th respondent suppressed the tenancy of the petitioner and entered into a sale agreement on 25.02.2020 with the 5th respondent for selling the property where the petitioner is doing business. The petitioner as a legal tenant is in possession and enjoyment of the property continuously for the last 65 years and therefore, the petitioner gave a complaint to the second respondent 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 respondent police cannot give police protection in a case of this nature.

5. Heard Mr.T.Arul, learned counsel for the petitioner and Mr.M.Mohamed Riyaz, learned Additional Public Prosecutor for the first and second respondents.

6. 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.

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

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

To

1. The Commissioner of Police,
Commissioner Office,
Coimbatore - 641 018.



2. The Inspector of Police,
Varihty Hall Road Police Station,
Varhity Hall Road,
Coimbatore - 641 001.

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3. The Public Prosecutor,
High Court, Madras.

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Cr1.O.P.No.6008 of 2020