

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.09.2020

CORAM

THE HON'BLE Mr. JUSTICE P.N. PRAKASH
Crl.O.P.No.18505 of 2018

L.Jebraj

...Petitioner

Vs.

1.The Inspector of Police
F-2, Police Station
Otteri, Chennai - 600 012.

2.The Commissioner of Police
Vepery, Chennai - 600 007.

3.The Madarasa Zamalia Wakf
Rep by Muthavalli
No.30, Perambur High Road
Chennai - 600 012.

...Respondents

(R3 impleaded as per order in Crl.MP.No.9953 of 2018 in
Crl.OP.No.18505 of 2018 dated 27.07.2018)

Criminal Original Petition filed under Section 482 of
Cr.P.C., praying to direct the respondents 1 and 2 to grant
police protection to his building at No.48, Perambur High Road,
Chennai-600 012, by considering his petition dated 10.07.2018.

For Petitioner : Mr.G.Appavu
For Respondents : Mrs.P.Kritika Kamal
Government Advocate
(Crl. Side) for R1 & R2
Mr.G.Mohanakrishnan for R3

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O R D E R

This case is taken up through video conferencing.

2. This criminal original petition is filed seeking a
direction, to direct the respondents 1 and 2 to provide police
protection to his building at No.48, Perambur High Road,
Chennai-600 012.

3. When the matter is taken up for hearing, the learned Government Advocate (Criminal Side) submitted that there is no CSR or FIR pending with the first respondent police, with regard to the petitioner's case.

4. This Court is of the view that in the light of the law laid down in Sri-La-Sri Sivasubramanyananda Vs. Sri-La-Sri Arunachalasamy / [1993 1 MLJ 274], the Civil Court has the power to grant police protection. That apart, in a case of this nature, police protection under Section 482 Cr.P.C., cannot be granted. Hence, this Criminal Original Petition is closed and it is open to the petitioner to work out his remedy in accordance with law before the Civil Court.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To:

- 1.The Inspector of Police
F-2, Police Station
Otteri, Chennai - 600 012.
- 2.The Commissioner of Police
Vepery, Chennai - 600 007.
- 3.The Public Prosecutor
High Court of Madras
Chennai - 600 104.

सत्यमेव जयते

Cr1.O.P.No.18505 of 2018

SR(CO)
KKV/09/10/2020

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