

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.08.2020

CORAM

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.12274 of 2020

Loganathan,
Son of Chengalvarayan,
9/5, Thiru Nagar, 2nd Street,
Vadapalani,
Chennai - 600 026.

...Petitioner

vs

1.The Commissioner of Police,
Commissioner Office,
Vepery, Chennai - 600 007.

2.The Deputy Commissioner of Police,
Deputy Commissioner Office,
T.Nagar,
Chennai - 600 017.

3.The Inspector of Police,
R8 Vadapalani Police Station,
Vadapalani,
Chennai - 600 026.

....Respondents

PRAYER:- This Criminal Original Petition is filed under Section 482 Cr.P.C., to direct the respondents to give police protection to the petitioner and his family members for their life on the basis of petitioner's complaint dated 05.06.2020.

For Petitioner : Mr.A.Punithavanan

For Respondents: Mr.S.Karthikeyan
Additional Public Prosecutor

ORDER

Seeking a direction to the respondents to give police protection to the petitioner and his family members for their life on the basis of the petitioner's complaint dated 05.06.2020, the petitioner is before this Court with this Criminal Original Petition.

2.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

3.It is seen from the complaint that the entire allegations are civil in nature and there is already a dispute between the petitioner and one Srinivasan in respect of construction of house. It is also averred in the petition that already a Surveyor has been appointed and the petitioner's property was surveyed and thereafter, he started construction. While putting up ceiling for the terrace, the said Srinivasan trying to encroach the petitioner's property. Therefore, the present complaint has been lodged by the petitioner.

4.The allegations averred in the complaint are completely civil in nature and no cognizable offence is made out to direct the respondent police. Further, the petitioner is also failed to implead the counter party. Under these circumstances, the Police protection as sought for by the petitioner cannot be granted.

5.In the result, the Criminal Original Petition is dismissed however, the petitioner is at liberty to approach the civil Court for appropriate relief.

Sd/-
Assistant Registrar (ADI-MDU)

//True Copy//

Sub Assistant Registrar

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To

- 1.The Commissioner of Police,
Commissioner Office,
Vepery, Chennai - 600 007.
- 2.The Deputy Commissioner of Police,
Deputy Commissioner Office,
T.Nagar,
Chennai - 600 017.
- 3.The Inspector of Police,
R8 Vadapalani Police Station,
Vadapalani, Chennai - 600 026.
- 4.The Additional Public Prosecutor,
High Court, Madras.

Cr1.O.P.No.12274 of 2020

RGN(CO)
CB(12/10/2020)