

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.08.2020

CORAM:

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

Crl.O.P.No.13302 of 2020

M.Hepzhiba,
temporarily staying at
No.397/2, W-Block, C-Sector,
3rd Avenue, Anna Nagar West Extension,
Chennai - 600 101.

... Petitioner

Vs.

1.The Commissioner of Police,
Egmore, Chennai.

2.The State represented by
The Inspector of Police,
V5, Thirumangalam Police Station,
Chennai.

3.K.Manipillai
Chief Judicial Magistrate - Ramnad (Retired)
No.A.P.97, 1st Street,
Anna Nagar West Extn., Chennai.

... Respondents

Prayer: Criminal Original Petition filed under section 482 of Criminal Procedure Code, to direct the second respondent/police to provide protection for accommodating in any one of the floors at the petitioner's parents house at A.P.97, 1st Street, Anna Nagar West Extension, Chennai - 600 101, along with her belongings and household articles.

For Petitioner : Mr.R.Sankarasubbu

For R1 and R2 : Mr.S.Karthikeyan
Additional Public Prosecutor

ORDER

This petition has been filed seeking for a direction directing the second respondent/police to provide protection for accommodating in any one of the floors at the petitioner's parents house at A.P.97, 1st Street, Anna Nagar West Extension, Chennai - 600 101, along with her belongings and household articles.

2.Heard Mr.R.Sankarasubbu learned counsel appearing on behalf of the petitioner and Mr.S.Karthikeyan learned Additional Public Prosecutor appearing on behalf of the first and second respondents

3.It is seen that there is dispute between the petitioner and the third respondent, in respect of sharing their property. Instead of filing the suit for the partition, the petitioner sought for police protection to accommodate any one of the floor owned by the third respondent herein. The third respondent is none other than his own father. Therefore, the police protection to accommodate any one of the floor owned by the third respondent cannot be granted by this Court. Therefore, on devoid of merits this petition is dismissed. However, the second respondent is directed to conduct enquiry on the complaint lodged by the petitioner against the third respondent and after issue notice to the counter party the second respondent is directed to pass orders on merits and in accordance with law.

4.With the above direction, this Criminal Original Petition is dismissed.

Sd/-
Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

vsn

To

- 1.The Commissioner of Police,
Egmore, Chennai.
2. The Inspector of Police,
V5, Thirumangalam Police Station,
Chennai.

Cr1.O.P.No.13302 of 2020

KK CO
SDR 19/12/2020

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