

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:17.09.2020

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CrI.O.P.No14448 of 2020

R. Yuvaraj
S/O Raja, amickam,
No.16/1, Rangaiah Garden Lane,
Mylapore, Chennai 600 004.

... Petitioner/
Defacto Complainant

Vs.

State Represented by
The Inspector of Police,
E-1, Mylapore Police Station,
Chennai 600 004.

...Respondent

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the respondent herein to provide police protection to the petitioner herein and his premises on basis of his complaint dated 18.07.2020.

For Petitioner : Mr.B. Thiyagarajan

For Respondent : Mr.S.Karthikeyan
Additional Public Prosecutor

ORDER

This petition has been filed to direct the respondent to give police protection to the petitioner and his premises on the basis of the complaint dated 18.07.2020.

2. The learned counsel for the petitioner would submit that the petitioner is a tenant for more than 2 decades in the house of the counter party. Now the counter party has been pressurizing the petitioner to vacate him and also filed a suit against him before the XII Additional Assistant City Civil Court, Chennai. While the same is pending, it seems the counter party parked his car in front of the petitioner's gate to prevent ingress and egress. Therefore, the petitioner lodged the complaint on 18.07.2020 before the Assistant Commissioner.

3. The learned additional public prosecutor submitted that there is a dispute between the petitioner and the counter

party. Already a complainant was lodged by the counter party, in which he was issued CSR.483 of 2020 and enquiry was pending. Thereafter, on 18.07.2020 the petitioner also lodged a complaint and he was issued CSR 723 of 2020 and it is also pending.

5. Heard Mr.B. Thiyagarajan learned Counsel for the petitioner and Mr. Mr.S. Karthikeyan learned Additional Public Prosecutor for the respondent police.

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. The respondent is also directed to consider both the CSR Nos.483 and 723 of 2020, after issuing notice to both parties in accordance with law.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

smn

To

1.The Inspector of Police,
E-1, Mylapore Police Station,
Chennai 600 004.

2.The Public Prosecutor,
High Court, Madras.

Cr1.O.P.No.14448 of 2020

SAI (CO)
CB(05/11/2020)