

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 02.11.2020

CORAM

THE HONOURABLE MR.JUSTICE T.RAVINDRAN

Cr1.O.P.No.16259 of 2020

Siraj Gafoor

...Petitioner

Vs.

1.The Superintendent of Police
Villupuram District,
Villupuram.

2.The Deputy Superintendent of Police,
Gingee, Villupuram District.

3.The Inspector of police,
Gingee Police Station,
Villupuram District.

4.Nagoor Meera

...Respondents

Prayer: Criminal Original Petition has been filed under Section 482 of Cr.P.C. to direct the 3rd Respondent police to provide protection to the life and limbs of the petitioner to run the business under the name and style of "Peer Mohamed Steels" in the property comprised in new survey No.33/29C1, new door No.59, old door No.90 situated in Tiruvannamalai Road, Chathiram Theru, Gingee Town, Villupuram District.

For Petitioner : Mr.R.Rajarajan

For Respondents : Ms.M.Prabhavathi

Additional Public Prosecutor

ORDER

It is noted that civil suit laid by the petitioner in O.S.No.99 of 2019 on the file of the Principal District Munsif Court, Gingee is pending between the petitioner and the counter petitioner regarding the property in issue. According to the petitioner, he has obtained an order of Interim stay in the above suit. If it is so, it is open to the petitioner to enforce the said order obtained by him in the manner known to law. In the light of the abovesaid factors, what a civil suit is still pending between the concerned parties regarding the

property in issue and when the civil Court has not affirmed or declared the right of the petitioner in respect of the property in issue, at this stage, it would not be appropriate to invoke the jurisdiction under Section 482 Cr.P.C. for granting the police protection as prayed for. Resultantly, the Criminal Original Petition is closed.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

sms/sli

To

- 1.The Principal District Munsif
Gingee, Villupuram District
- 2.The Superintendent of Police
Villupuram District,
Villupuram.
- 3.The Deputy Superintendent of Police,
Gingee, Villupuram District.
- 4.The Inspector of police,
Gingee Police Station,
Villupuram District.
- 5.The Public Prosecutor
High Court, Madras.

+1 CC to Mr.R.Rajarajan, Advocate sr 35180.

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NR(CO)
SP(07/12/2020)

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