

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.11.2020

CORAM:

THE HON'BLE MR.JUSTICE T.RAVINDRAN

Crl.O.P.Nos.17189 & 17151 of 2020

K.Ganesan  
S/o, Kuppusamy Padaiyatchi,  
West Street,  
A.Kottarakuppam,  
Irulakurichi Post,  
Vridhachalam Taluk,  
Cuddalore District - 606 115.

...Petitioner in both  
the Crl.O.Ps

-Vs-

1. The Inspector of Police,  
Mangalampettai Police Station,  
Mangalam Pettai - 606 104.

2. The Sub-Inspector of Police,  
Aladi Police Station,  
Vridhachalam Taluk,  
Cuddalore District - 606 115.

... Respondents in both  
the Crl.O.Ps

Prayer in Crl.O.P.No.17189 of 2020: Criminal Original  
Petition filed under section 482 of Criminal Procedure Code, to  
grant an order of direction, directing the respondents not to  
harass the petitioner in respect of the complaint dated  
31.07.2020 in CSR No.320 of 2020 and complaint dated 07.09.2020  
made by the petitioner.

Prayer in Crl.O.P.No.17151 of 2020: Criminal Original Petition  
filed under section 482 of Criminal Procedure Code, to grant an  
order of direction, directing the respondents to register the  
complaint in respect dated 31.07.2020 in CSR No.320 of 2020 and  
complaint dated 07.09.2020 made by the petitioner.

For Petitioner : M/s.S.Balasubramanian

For Respondents: Ms.M.Prabhavathi  
Additional Public Prosecutor

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C O M M O N                      O R D E R

It is represented by the Additional Public Prosecutor that complaint lodged by the petitioner dated 31.07.2020 in CSR No.320 of 2020 as well as the complaint lodged by the petitioner dated 07.09.2020 in CSR No.386 of 2020 had been closed. It is further represented that subsequently, another complaint has been lodged by the petitioner and the counter petitioner has also lodged a complaint against the petitioner and on enquiry, the F.I.R registered in both the matters are pending. In such view of the matter, no further relief could be granted insofar as the Crl.O.P.No.17151 of 2020 is concerned.

2. As far as the Crl.O.P.No.17189 of 2020 is concerned, the petitioner's right to the property in issue has not been affirmed or declared by the Civil Court. In such view of the matter, it is for the petitioner to move the Civil Court for getting his right in respect of the property in issue. Unless the right of the petitioner to the property in issue is declared or affirmed in the Civil Court, at this stage of the matter, it would not be proper for this Court to invoke the jurisdiction under Section 482 Cr.P.C for granting Police protection in favour of the petitioner.

2. Resultantly, both the Criminal Original Petitions are dismissed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Inspector of Police,  
Mangalampettai Police Station,  
Mangalam Pettai - 606 104.

2. The Sub-Inspector of Police,  
Aladi Police Station,  
Vriddhachalam Taluk,  
Cuddalore District - 606 115.

3. The Public Prosecutor,  
High Court, Madras.

Crl.O.P.Nos.17189 & 17151 of 2020

SPD(CO)  
RV(03/12/2020)