

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.03.2020

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P.No. 24716 of 2019

R.Rani

...Petitioner

Vs.

1. The State,
Rep.by the Inspector of Police,
Valathy Police Station,
Gingee Taluk, Villupuram District.

2. Radha
3. Amudha
4. Janaki
5. Mani
6. Jeeva
7. Ramu
8. Sathya

(2 to 8 Respondents are impleaded as per order in
Crl.M.P.No.14367 of 2019 in Crl.O.P.No.24716 of 2019
dated 04.10.2019)

...Respondents

PRAYER: Criminal Original Petition is filed under Section 482
of the Code of Criminal Procedure, to direct the respondent
police to give necessary police protection to the petitioner and
to her property as per the request made in her representation
dated 23.07.2019.

For Petitioner : Mr.B.Ramakrishnan

For Respondents : Mr.M.Mohamed Riyaz

Additional Public Prosecutor for R1

: Mr.B.Mohan for R2 to R6

O R D E R

This petition has been filed for a direction to direct the
respondent police to give necessary police protection to the
petitioner and to her property as per the request made in her
representation dated 23.07.2019.

2. The learned counsel for the petitioner would submit that
the respondents 2 to 8 are interfering the possession and

enjoyment of the petitioner and they are causing threat to the petitioner and therefore, the petitioner gave a complaint to the respondents police seeking for police protection. Since the same was not considered, this petition has been filed seeking for appropriate direction.

3. The learned Additional Public Prosecutor would submit that the the property dispute is between the petitioner and the private respondents 2 to 8. He would further submit that the police cannot give police protection in a case of this nature.

4. Heard Mr.B.Ramakrishnan, learned Counsel for the petitioner and Mr.Mr.M.Mohamed Riyaz, learned Additional Public Prosecutor for the first respondent police and Mr.B.Mohan, learned counsel for R2 to R6.

5. 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.

6. In view of the above, this Criminal Original Petition is disposed of, by giving liberty to the petitioner to workout her remedy before the Court below in the manner indicated herein above.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

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To

1. The Inspector of Police,
Valathy Police Station,
Gingee Taluk, Villupuram District.
2. The Public Prosecutor,
High Court, Madras.

CRL.O.P.No. 24716 of 2019

KJ(CO)
KKV/20/07/2020