

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 04.03.2020
CORAM:
THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN
CRL.O.P.No. 26345 of 2019

Prema

... Petitioner

Vs.

1. The Superintendent of Police,
Cuddalore District,
Cuddalore.

2. The Inspector of Police,
Thittagudi Police Station,
Cuddalore District.

3. Dinesh

4. Kobu

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to direct the second respondent to provide police protection to the petitioner's life and her shop on lease from the Executive Officer, Thittagudi Town Panchayat /third respondent herein at shop N.R.I.P.No.11, situated at Thittagudi Bus Stand, Thittagudi Taluk, Cuddalore District by considering the representation of the petitioner dated 20.09.2019 on the file of the second respondent herein to secure the ends of justice.

For Petitioner : Mr.M.Velmurugan

For Respondent : Mr.M.Mohamed Riyaz,

Additional Public Prosecutor for R1 & R2

: Mr.E.Durai for R3.

O R D E R

This Criminal Original Petition has been filed for a direction to direct the second respondent to provide police protection to the petitioner's life and her shop from the Executive Officer, Thittagudi Town Panchayat /third respondent herein by considering the representation of the petitioner dated 20.09.2019 on the file of the second respondent herein.

2. A perusal of the complaint filed by the petitioner would go to show that Sampathkumar and Dinesh had unlawfully obtained the leased premises from the petitioner and when questioned by the petitioner they threatened with dire consequences. Hence, the complaint.

3. The learned Additional Public Prosecutor has submitted that though the complaint coloured as criminal conspiracy, the averments made therein constitute only a civil dispute.

4. This Court is of the view that the petitioner cannot maintain an independent petition before this Court seeking police protection. The petitioner has to file an appropriate petition before the Court below. 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 police cannot interfere in this case, unless, a specific direction is given by a competent Civil Court.

5. 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.

kv

Sd/-
Assistant Registrar(CS-I)

//True copy//

Sub Assistant Registrar

To

1. The Superintendent of Police,
Cuddalore District,
Cuddalore.
2. The Inspector of Police,
Thittagudi Police Station,
Cuddalore District.
3. The Public Prosecutor,
High Court, Madras.

CRL.O.P.No. 26345 of 2019

br (CO)
mst (29/05/2020)

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