

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 03.06.2020

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN
Crl.O.P.No.19345 of 2017

S.S. Ramakrishnan

.. Petitioner

Vs

1. The Inspector of Police
Thirupalaivanam Police Station,
Ponneri Taluk, Tiruvallur District.

2. M. Yuvaraj Respondents

Prayer:Criminal Original Petition filed under Section 482 Cr.P.C. to grant police aid to the petitioner for enjoying the properties as mentioned in petition in Kolar village, Ponneri Taluk, Thiruvallur.

For Petitioner : Mr. T. Velumani

For Respondent : Mr.M.Mohamed Riyaz,
Additional Public Prosecutor.

ORDER

(The case has been heard through video conferencing)

This Criminal Original Petition has been filed seeking to grant police aid to the petitioner for enjoying the properties of the petitioner situated in Kolar village, Ponneri Taluk, Thiruvallur.

2.The learned Additional Public Prosecutor submitted that a civil decree was passed in favour of the petitioner and against the 2nd respondent herein.

3.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondent.

4. It is seen that the petitioner herein and his wife S.K.Kanthammal have filed suit in O.S.No.242 of 2020 on the file of District Munsif, in respect of their ancestral property and the same was decreed in favour of the petitioner herein.

5. This Court is of the view that as the suit is of the year 2017 i.e after a period of 3 years, this petition cannot be considered.

6. Considering the above facts and circumstances of the case and the submission made by the learned Additional Public Prosecutor, this petitioner is directed file a fresh complaint annexuring the copy of the civil decree. After filing of the fresh complaint by the petitioner the first respondent is directed to consider the same and pass orders on merits and in accordance with law.

7. With the above observations, this Criminal Original Petition is disposed of accordingly.

Sd/-
Assistant Registrar(co)

//True Copy//

Sub Assistant Registrar

smn

To

1. The Inspector of Police
Thirupalaivanam Police Station,
Ponneri Taluk, Tiruvallur District

2.The Public Prosecutor,
High Court, Madras.

Crl.O.P.No. 19345 of 2017

A.SK(07/08/2020)

सत्यमेव जयते

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