

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.03.2020

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.32342 of 2019
and
W.M.P.No.32638 of 2019

D.Rajan

... Petitioner

Vs.

1. The Commissioner of Police,
Chennai City Police,
Vepery, Chennai - 600 007.
2. The Assistant Commissioner of Police,
Madhavaram Range,
Madhavaram, Chennai - 600 060.
3. The Inspector of Police (L& O),
Madhavaram Range,
Madhavaram, Chennai - 600 060.
4. T.Srinivasan
- 5.S.Chitradevi

... Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India praying to issue a Writ of Mandamus, directing the first respondent to give police protection to the petitioner and his family members.

For Petitioner : Mr.R.Perumalswamy

For Respondents: Mr.M.Mohamed Riyaz,

Additional Public Prosecutor for R1 to R3

: Mr.ARL.Sundaresan for

: M/s. AL.Ganthimathi for R4 & R5

O R D E R

This Writ Petition has been filed for a direction to direct the first respondent to give police protection to the petitioner and his family members.

2. The learned counsel for the petitioner would submit that the fourth respondent has committed criminal breach of trust and cheating the petitioner with fraudulent and dishonest intentions and also now trying to fabricate and create false and forged documents to extract huge amount for several Crores and thereby trying to misuse the petitioner 59 blank cheques 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 there is a dispute between the petitioner and the fourth and fifth respondents and the police cannot give police protection in a case of this nature.

4. 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.

5. In view of the above, this Writ Petition is disposed of, by giving liberty to the petitioner to workout his remedy before the Court below in the manner indicated herein above. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

KV

To

1. The Commissioner of Police,
Chennai City Police,
Vepery, Chennai - 600 007.
2. The Assistant Commissioner of Police,
Madhavaram Range,
Madhavaram, Chennai - 600 060.
3. The Inspector of Police (L& O),
Madhavaram Range,
Madhavaram, Chennai - 600 060.
4. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.R.Perumalsamy, Advocate for the petitioner
vide S.R.No.22991.

+1cc to M/s.A.L.Gandhimathi, Advocate for the respondents 4 & 5
vide S.R.No.23017.

CO/KJ
ad1/28.05.2020

W.P.No.32342 of 2019

सत्यमेव जयते

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