

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.03.2020

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P.No. 32061 of 2019

P.Chandra

... Petitioner

Vs.

1. State by the Superintendent of Police,
Villupuram District.
2. The Deputy Superintendent of Police,
Kallakurichi,
Villupuram District.
3. The Inspector of Police,
Kelkuppam Police Station,
Villupuram District.
4. N.Venkat
5. Rajavel
6. Periyasamy
7. Muthusamy
8. Saravanan

.... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to direct the third respondent police to give police protection to the petitioner and her husband namely Paramasivam for harvest of agricultural product namely "Groundnut and Corn at West Kattukotti, Eriur Village, Chinnasalem Taluk and Villupuram District based on the petitioner's complaint dated 21.10.2019 and representation dated 08.11.2019 within a reasonable time to be fixed by this Court.

For Petitioner : Mr.P.Rajavel

For Respondents: Mr.M.Mohamed Riyaz
Additional Public Prosecutor
for R1 to R3

O R D E R

This Criminal Original Petition has been filed for a direction to direct the third respondent police to give police protection to the petitioner and her husband namely

Paramasivam for harvesting the agricultural product namely "Groundnut and Corn at West Kattukotti, Eriur Village, Chinnasalem Taluk and Villupuram District based on the petitioner's complaint dated 21.10.2019 and representation dated 08.11.2019.

2. Heard P.Rajavel, learned Counsel for the petitioner and Mr.M.Mohamed Riyaz, learned Additional Public Prosecutor for the first to third respondents police.

3. A perusal of the materials available on record would disclose the fact that the Petitioner's son is an accused in a case registered under the TNPID Act. At the earlier point of time, the petitioner and his family members escaped from the clutches of law and staying away from the land. Now, the petitioner is seeking police protection to harvest the crops. The erstwhile legal action on the complaint lodged against the petitioner's son was evaded by the petitioner's family and hence, they are not entitled for any relief as prayed for.

4. However, the petitioner can file an appropriate petition before the Court below and initiate contempt proceedings, if she choses to do so. 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 Criminal Original Petition is dismissed, by giving liberty to the petitioner to workout her remedy before the Court below in the manner indicated herein above.

Sd/-

Assistant Registrar(CO-MDU)

//True Copy//

Sub Assistant Registrar

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To

1. The Superintendent of Police,
Villupuram District.
2. The Deputy Superintendent of Police,
Kallakurichi,
Villupuram District.

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3. The Inspector of Police,
Kelkuppam Police Station,
Villupuram District.

4. The Additional Public Prosecutor,
High Court, Madras.

+1cc to Mr.P.Rajavel, Advocate SR.19382

CRL.O.P.No. 32061 of 2019

RR(CO)
CB(17/06/2020)



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