

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 21.09.2020

CORAM

THE HONOURABLE MR.JUSTICE T.RAVINDRAN

Crl.OP.No.34567 of 2019

1.S.Fakruddin Ali Ahmed
2.S.Ammu

...

Petitioners

Vs.

1.The State Rep.by
Inspector of Police,
Timiri Police Station,
Vellore District.

2.Rajendran
3.Mohan

...

Respondents

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C. to direct the respondent police to provide adequate police protection to the petitioner's life and property situated in Survey No.2/8A 1.32 acres, 2/8B 99 cents, 2/9A 1.96 Cents, 2/9E 48 Cents Total extend of 4.75 acres, Villapakkam Village, Arcot Taluk on the basis of the representation given by the petitioner to the 1st respondent on 17.11.2019 in accordance with law.

For Petitioners : Mr.B.Sundarapandiyan

For Respondent : Ms.S.Thankira
No.1 Government Advocate (Crl.side)

For Respondent : No appearance
Nos.2 & 3

ORDER

The criminal original petition has been laid by the petitioners seeking for police protection.

2. According to the petitioners, they have title to the property in issue and the counter petitioners are attempting to interfere with their possession and enjoyment and accordingly, have come forward with the criminal original petition seeking for police protection.

3. Even as averred in the petition, a civil suit is pending for the relief of permanent injunction. In such view of the matter, the petitioners are to pursue the remedies only before the Civil Forum, particularly, they will have to get their rights affirmed in the civil action in respect of the property in issue.

4. However, it is represented by the petitioners' counsel that the civil suit is not pending as on date and the same has come to be withdrawn.

5. Be that as it may, inasmuch as the rights of the petitioners in respect of the property in issue has not been affirmed in the competent civil Court and unless the petitioners' right to the property in issue is affirmed in a civil action, at this stage of the matter, in my considered opinion, it would not be advisable to direct the police to intervene with the matter. The intervention of the police, at this nebulous stage, would only create confusion.

6. In the light of the abovesaid factors, I am not inclined to grant the relief sought for by the petitioners by exercising the jurisdiction under Section 482 Cr.P.C. Resultantly, the criminal original petition is dismissed.

सत्यमेव जयते
-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

sli

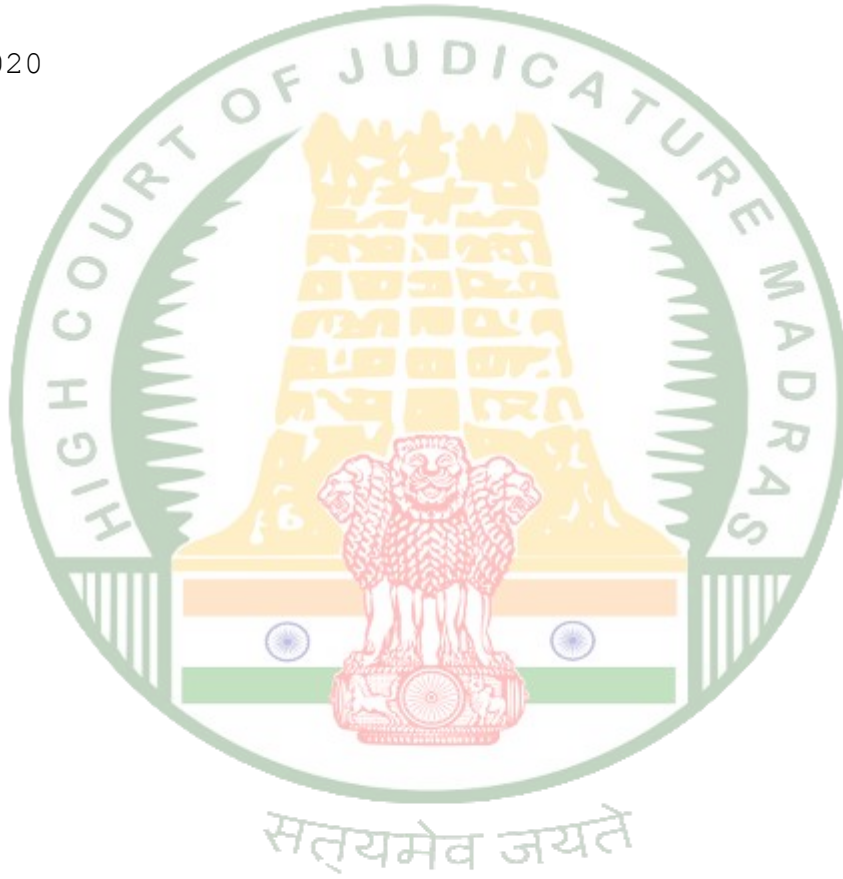
To

1.The Inspector of Police,
Timiri Police Station,
Vellore District.

2. The Public Prosecutor,
High Court, Madras.

Cr1.OP.No.34567 of 2019

aa29/10/2020



WEB COPY