



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.03.2020

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Cr1.O.P. (MD) No.4704 of 2020

1.Joice Jeyarani
2.Minor.Rabel Mervin ... Petitioners
(R2-Minor Rep.by R1)

-vs-

1.The Superintendent of Police,
Kanyakumari District, Nagercoil.

2.The Inspector of Police,
Vadaseri Police Station,
Vadaseri, Nagercoil,
Kanyakumari District.

3.Nivethan Samuel Abraham ... Respondents

PRAYER: Petition filed under Section 482 of the Criminal Procedure Code to pass a direction directing the second respondent to provide police protection to the petitioners by considering their representation dated 11.03.2020 to reside in the portion of that house at Door No.3/334-1, situated at 2nd street, 'A' Block, Pallivilai, Vettoornimadam, Agastheeswaram Taluk, Kanyakumari District.

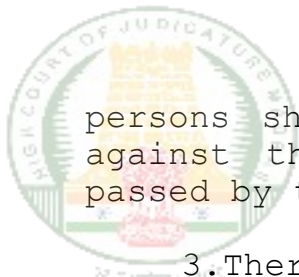
For Petitioner: Mr.V.Rajiv Rufus

For R1 and R2 : Mr.A.Robinson
Government Advocate (Cr1.side)

O R D E R

The petitioner seeks police protection for enforcing the order made in her favour in D.V.O.P.No.2 of 2014.

2.The petitioner is having an effective and alternative remedy under Section 31 of the Protection of Women from Domestic Violence Act, 2005. In fact, this remedy can be availed not only against the



persons shown as respondents in the original complaint, but also against those who are obstructing the enforcement of the order passed by the learned Magistrate.

3. Therefore, this Criminal Original Petition is closed by giving liberty to the petitioner to move the concerned Magistrate. As and when the petitioner files such a petition under Section 31 of the Protection of Women from Domestic Violence Act, 2005, the same will be disposed of on merits and in accordance with law within a period of 45 days from the date of receipt of a copy of this order.

4. With this direction, this Criminal Original Petition stands disposed of.

Sd/-

Assistant Registrar (Crl.Side)

// True Copy //

/ /2020

Sub Assistant Registrar (CS)

To

1. The Superintendent of Police,
Kanyakumari District, Nagercoil.

2. The Inspector of Police,
Vadaseri Police Station,
Vadaseri, Nagercoil,
Kanyakumari District.

3. Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.V.RAJIV RUFUS, Advocate (SR-12079[F]

Crl.O.P. (MD) No.4704 of 2020

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SDS (18.03.2020) 2P-5C