

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.01.2021

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THE HONOURABLE MR.JUSTICE N. ANAND VENKATESH

Crl.O.P.No.20856 of 2018

M.Mohana

...Petitioner

Vs

1. The State of Tamilnadu
Rep. by its Superintendent of Police
Kancheepuram District.

2. The Inspector of Police
Sunguvarchattiram Police Station
Kancheepuram District.

3. R.Venkatesan

4. V.Harikrishnan

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to direct the First and Second Respondents to offer police protection to the petitioner's "life and limb" as well as to her property set out in this petition hereunder, pursuant to her complaint dated 15.02.2018, within a time frame as may be fixed by this Hon'ble Court.

For Petitioner : Mr.R.Veeramani

For Respondents : Mr.M.Mohamed Riyaz (For R1 & R2)

Additional Public Prosecutor

No appearance (For R3 & R4)

ORDER

This Criminal Original petition has been filed seeking for police protection based on the complaint given by the petitioner on 15.02.2018, before the respondent police.

2. The case of the petitioner is that she is a senior citizen, who is residing in the subject property. The respondents 3 and 4 were attempting to cause threat and interfere with the possession and enjoyment of the property. Hence, the petitioner filed O.S.No.116 of 2016 seeking for the relief of permanent injunction against the respondents 3 and 4 and the suit was decreed by judgement and decree dated 06.09.2016.

3. The grievance of the petitioner is that inspite of the decree for permanent injunction, the respondents 3 and 4 continued to cause threat to the petitioner. The complaint given by the petitioner to the respondent police also did not

evoke any response. Left with no other option, the present Criminal Original petition has been filed before this Court.

4. Heard the learned counsel for the petitioner and Mr.M.Mohammed Riyaz, learned Additional Public Prosecutor, appearing for respondents 1 and 2. The respondents 3 and 4 have been served with notice and their names have also been printed in the cause-list and they did not appear either in person or through counsel.

5. In the considered view of this Court, once a competent Civil Court has granted the relief of permanent injunction in favour of the petitioner, the respondents 3 and 4 cannot interfere with the possession and enjoyment of the subject property of the petitioner and cause threat to her. The 2nd respondent is directed to act upon the complaint given by the petitioner and call the parties for an enquiry. The 2nd respondent shall instruct respondents 3 and 4 not to cause any threat or interfere with the possession and enjoyment of the petitioner. If in spite of such instructions, the respondents 3 and 4 indulge in causing any threat, action shall be taken against them strictly in accordance with law. If required, police protection shall also be granted in favour of the petitioner.

6. This Criminal Original petition is disposed of with the above directions.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The Superintendent of Police,
The State of Tamilnadu
Kancheepuram District.
2. The Inspector of Police
Sunguvarchattiram Police Station
Kancheepuram District.
3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.R.Veeramani, Advocate, S.R.No. 2672

Cr1.O.P.No.20856 of 2018