



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.07.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.11459 of 2021

Tmt.K.Malliga

... Petitioner

.vs.

1.The Inspector of Police,
Vanur-Police Station,
Villupuram District.

2.The Deputy Superintendent of Police,
Kottakuppam Division,
Villupuram District.

3.The Superintendent of Police,
Villupuram,
Villupuram District.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondent police to give adequate police protection to the petitioner's life and property situate in S.No.237/7 0.78 cents and on various survey number to a extent of 5 acres situated at Ravuthankuppam Village & Post, Vanur Taluk, Villupuram District, in pursuant to the injunction order dt.08.02.2021 passed in I.A.No.37 of 2021 in O.S.No.48 of 2021 on the file of the Additional Subordinate Judge at Tndivanam.

For Petitioner : Mr.M.Arumugam

For Respondents : Mr.A.Damodaran
Government Advocate (Crl.side)

ORDER

The petitioner filed this petition seeking direction to give adequate police protection to the petitioner's life and property situate in S.No.237/7 0.78 cents and on various survey number to a extent of 5 acres situated at Ravuthankuppam Village & Post, Vanur Taluk, Villupuram District.

2.He further submits that he had already filed a civil



suit against the encroachers in O.S.No.48/2021, before the Additional Subordinate Judge, Tindivanam and had also obtained an interim injunction order in I.A.No.37 of 2021.

3.The learned Government Advocate (Crl.Side) submitted that it is only an interim order. He relied upon the judgment of this Court in the case of Radhika Sri Hari v. Commissioner of Police reported in (2014) 2 CTC 695 . He further submits that the civil court is vested with the power and the entire materials are available before the civil court to pass appropriate orders the Civil Suit has not reached. finality. Hence, normally this Court shows restrains in invoking Section 482 of Cr.P.C., and will not issue any direction for police protection in a property dispute. The petitioner can approach the civil court and file necessary petition seeking police protection. Except giving this liberty to the petitioner, no further orders can be passed in this criminal original petition.

4.With the above directions, this criminal original petition is dismissed.

Sd/-

Assistant Registrar(CS-II)

//True Copy//

Sub Assistant Registrar

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To

- 1.The Additional Subordinate Judge,
Tindivanam.
- 2.The Inspector of Police,
Vanur-Police Station,
Villupuram District.
- 3.The Deputy Superintendent of Police,
Kottakuppam Division,
Villupuram District.
- 4.The Superintendent of Police,
Villupuram, Villupuram District.
- 5.The Public Prosecutor,
High Court, Madras.

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SKY(CO)
SB(03/08/2021)