



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGOVAN**
Crl.O.P. (MD) No.6217 of 2019

WEB COPY

S.Mohammed Ali

.. Petitioner

Vs.

1.The Superintendent of Police,
Trichy District, Trichy.

2.The Inspector of Police,
Puthantham Police Station,
Puthantham, Manaparai Taluk,
Trichy District.

3.Alavuddin

.. Respondents

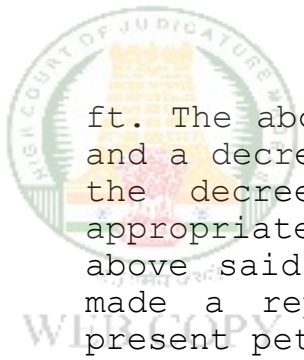
PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, 5to pass order directing the 1st respondent to direct the 2nd respondent to give adequate police protection to the life and limb of the petitioner and his family members and for the enjoyment of his properties, at the hands of the 3rd respondent, by considering the petitioner's complaint dated 15.04.2019, within the period stipulated by this Court.

For Petitioner	: Mr.A.Haja Mohideen
For Respondents	: Mr.E.Antony Sahaya Prabahar for RR1 & 2 Additional Public Prosecutor

ORDER

This petition has been filed seeking order directing the 1st respondent to direct the 2nd respondent to give adequate police protection to the life and limb of the petitioner and his family members and for the enjoyment of his properties, at the hands of the 3rd respondent, by considering the petitioner's complaint dated 15.04.2019, within the period stipulated by this Court.

2.The case of the petitioner is that the father of the petitioner purchased the property in S.No.302/2 measuring about 968 sq. feet of property. On the western side the third respondent is having a Rice Mill. Originally the father of the third respondent bequeathed the entire property to one Mustafa Kamal Batsha. He sold the property to one Jafarullah from whom the father of the petitioner purchased the property measuring an extent of 1075 sq.



ft. The above said Kamal Batsha filed a suit in O.S.No.2377 of 2006 and a decree has been granted in favour of the third respondent. But the decree was not executed by the third respondent through appropriate process by filing execution petition. Based upon the above said decree, he is making trouble to the petitioner. So he made a representation. Since the same was not acted upon, the present petition has been filed.

3.The learned Additional Public Prosecutor submitted that there is no instructions from the official respondents. Reading of the petition shows that a decree has been passed in favour of the third respondent. When a civil Court decree in favour of the third respondent, the question of granting police protection does not arise. The petitioner has to workout his remedy through appropriate proceedings, if he is aggrieved by the decree that has been passed by the competent Civil Court. So I find absolutely no merits in this petition. Hence, this petition deserves to be dismissed.

4.Accordingly, this criminal original petition is dismissed with the above said liberty.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TM

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

- 1.The Superintendent of Police, Trichy District, Trichy.
- 2.The Inspector of Police, Puthantham Police Station,
Puthantham, Manaparai Taluk, Trichy District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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RD(15.12.2021) 2P 4C