



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.10.2021

CORAM:

THE HONOURABLE MR.JUSTICE **G. ILANGO VAN**
Crl.O.P. (MD) No.12018 of 2021

WEB COPY

Vigneshwaran

... Petitioner

Vs.

1.The Commissioner of Police,
O/o Commissioner of Police
Madurai City,
Madurai.

2.The Inspector of Police,
Thilagar Thidal Police Station,
Madurai City,
Madurai.

3.M.Ashwin kumar

4.Mahendran

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the Respondents No-1 and 2 to provide adequate protection to the petitioner and his family members based on the petitioner's representation dated 14.07.2021 and 12.08.2021.

For Petitioner : Mr.R.Karunanidhi
For R1 & R2 : Mr.K.Sanjai Gandhi
Government Advocate (Crl.Side)

ORDER

This petition is filed seeking police protection, on the basis of the representations dated 14.07.2021 and 12.08.2021.

2.The learned counsel appearing for the petitioner would submit that the petitioner's father was running a grocery shop in TS No.756/1A in D.No.86, Madurai Tamizh Sangam Road, Madurai. After the death of the petitioner's father, during pandemic period, he is running the said shop in the name and style of "Vicky Stores".

3.The third respondent herein, who has no right over the said shop, has created forged documents and claiming right over the above said shop. O.S.No.285 of 2021 has been filed by the petitioner before the District Munsif Court, Madurai Town. He has also made a representation dated 15.07.2021 seeking police protection. CSR



No.256 of 2021 has been assigned by the respondent police and thereafter, no action has been taken by them. Hence, this petition.

4.When the matter was taken up for hearing on 23.08.2021, the learned Additional Public Prosecutor has submitted that based upon the complaint given by this petitioner, enquiry was undertaken and during the course of enquiry, it was found that it is a civil dispute, in which, the private respondents are also claiming right over the shop. So, a case in Crime No.382 of 2021 under Section 145 of Cr.P.C has been registered and the matter was referred to RDO, Madurai for initiation of proceedings under Section 145 of Cr.P.C and notice was also issued to the petitioner as well as the private respondents. To intimate the outcome of the enquiry, the matter has been listed today.

5.When the matter is taken up for hearing, the learned Government Advocate appearing for the respondents 1 and 2 would submit that it is still pending. Since the proceedings are pending before the RDO, Madurai, grant of police protection to one of the parties may not be proper. Depending upon the outcome of the aforesaid enquiry, the petitioner herein can take further steps. I find no reason to entertain this petition for granting police protection.

6.With the aforesaid liberty, this petition stands dismissed as infructuous.

Sd/-

Assistant Registrar (W)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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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 Commissioner of Police,
O/o Commissioner of Police
Madurai City,
Madurai.



2.The Inspector of Police,
Thilagar Thidal Police Station,
Madurai City,
Madurai.

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

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