



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P.(MD)No.13853 of 2021

WEB COPY

A.Aboobucker Sidiq

...Petitioner

Vs.

1.The Superintendent of Police,
District Superintendent Office,
K.Pudur,
Madurai-625007.

2.The Deputy Superintendent of Police,
Omachikulam Division,
Irrupu Y.Othakadai Police Station (North Side) ,
Madurai-625107.

3.The Sub Inspector of Police,
Karupppaurani Police Station,
Madurai East Circle,
Madurai District-625020.

4.Karuppaiya

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 Cr.P.C, to direct the respondents 1 to 3 to provide the police protection to the petitioner and his family members for life and limb.

For Petitioner : Mr.S.A.Ajmal Khan
For Respondent : Mr.M.Veeranthiran
Government Advocate
for R1 to R3
Mr.T.A.Ebenezer for R4

O R D E R

Heard the learned counsel on either side.

2. The petitioner filed O.S.No.351 of 2021 against the fourth respondent herein on the file of District Munsif Court, Melur. A Decree was granted in favour of petitioner on 11.10.2017. Aggrieved by the same, fourth respondent filed A.S.No.64 of 2019



on the file of Sub Court, Melur, and the appeal was dismissed on 30.09.2019. Though the first appellate Court gave its verdict against the fourth respondent wayback on 30.09.2019, still the counsel for the fourth respondent would make a statement that the fourth respondent is taking steps to file second appeal. The fact remains that as on date no second appeal has been filed.

3. Since, a decree obtained by the petitioner against the second respondent is holding good as on dates the judgment-debtor cannot be permitted to act in defiance of the same. If the fourth respondent breaches the Civil Court's Decree, certainly the respondent police are obliged to intervene. Of course, the respondent police cannot be expected to provide round the clock protection to the petitioner herein. But then, if any complaint is received from the petitioner for breach of the Civil Court's decree, the fourth respondent will act in accordance with law. This Criminal Original Petition is allowed accordingly.

Sd/-

Assistant Registrar (T&P)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

mga/csm

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,
District Superintendent Office,
K.Pudur, Madurai-625007.
- 2.The Deputy Superintendent of Police,
Omachikulam Division,
Irrupu Y.Othakadai Police Station (North Side) ,
Madurai-625107.
- 3.The Sub Inspector of Police,
Karuppaaurani Police Station,
Madurai East Circle,
Madurai District-625020.

<https://hcservices.ecourts.gov.in/hcservices/>



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

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DJ(CO)
SB(07.12.2021) 3P 5C