



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.11.2021

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P(MD)No.17545 of 2021

Palanichamy

... Petitioner

Vs.

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

2.The Inspector of Police,
Thanthonimalai Police Station,
Karur District.

3.Balaji

... Respondents

Prayer: This Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the 1st and 2nd respondents' police authorities to provide police protection to the petitioner and his family to conduct marriage function between 14.11.2021 and 15.11.2021 at 3rd respondent marriage hall namely V.K.T. Mahal situated at Vela Gounder Nagar, Thaanthonimalai, Karur by considering the petitioner's representation dated 09.11.2021.

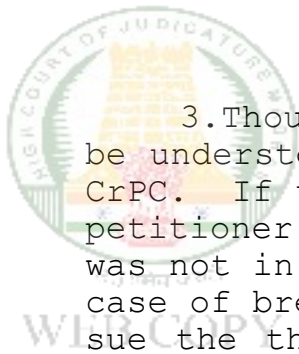
For Petitioner : Mr.V.Sukumar

For Respondents : Mr.M.Veeranthiran,
Govt. Advocate (Crl. Side) for R1 & R2

O R D E R

Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) for the first and second respondents. Considering the nature of relief to be granted, notice to the third respondent is dispensed with.

2.The petitioner's daughter's marriage was to be solemnized on 15.11.2021 at V.K.T. Mahal, Thanthonimalai, Karur District. The third respondent is the owner of the marriage hall. The petitioner had paid the hall charges. But he had been informed literally at the last minute that the marriage hall cannot be spared for the occasion. The petitioner has made all the arrangements to celebrate his daughter's marriage in the said marriage hall. Therefore, he gave a complaint before the police. He has followed up the same by filing this criminal original petition for directing the police to provide adequate police protection to enable the petitioner to conduct the marriage of his daughter on 14.11.2021 and 15.11.2021 at V.K.T. Mahal.



3.Though the anxiety and stress of the petitioner can very well be understood, no relief can be granted to him under Section 482 of CrPC. If the third respondent had let out the hall in favour of the petitioner for the said dates and thereafter he had stated that he was not in a position to accommodate the petitioner, it is a classic case of breach of contract. The remedy open to the petitioner is to sue the third respondent before the consumer forum or civil Court and demand damages. I fail to understand as to how the police can be mandated to provide police protection to perform the marriage in question at the very same venue. This criminal original petition is not maintainable and the very filing of this petition is misconceived and it stands dismissed.

Sd/-

Assistant Registrar (CS-I)

// 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 Superintendent of Police,
Karur District,
Karur.
- 2.The Inspector of Police,
Thanthonimalai Police Station,
Karur District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P (MD) No.17545 of 2021
12.11.2021

AM(CO)
GC/PM(23.11.2021) 2P 4C