



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.06.2022

CORAM

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

Cr1.O.P.No.2474 of 2022

Muhammad Mujeebur Rahman

...Petitioner

Vs.

1. The State represented by,
The Inspector of Police,
J-1 Police Station,
Saidapet, Chennai - 600 015.

2. S.Ayub Khan

...Respondents

Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C., pleased to direct the respondent police to consider his representation dated 25.12.2021 on the file of respondent police providing him police protection.

For Petitioner : M/S.Shaikh Mehrunnisha Kasim

For R1 : Mr.A.Gokulakrishnan
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking to direct the respondent Police to give Police protection to the petitioner.

2.Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the Respondent Police.

3.At the outset, this Court is of the view, such a blanket police protection cannot be granted particularly, when the parties are claiming right over the property. Even the allegations are yet to be proved there cannot be any blanket order. In this aspect, the Hon'ble Apex Court in the case of 'PR.Muralidharan and others Vs.Swami Dharmananda Theertha Padar' reported in 2006 4 SCC 501 as held as follows:

'...19.A Writ for "Police Protection" so-called, has only a limited scope, as when the



WEB COPY

Court is approached for protection of rights declared by a decree or by an order passed by a civil Court. It cannot be extended to cases where rights have not been determined either finally by the civil Court or, at least at an interlocutory stage in an unambiguous manner, and then too in furtherance of the decree or order.''

4. In such view of the matter, this Criminal Original Petition is closed. However, the parties shall establish their right in the proper forum namely the Tribunal constituted for the purpose.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

ham/shk

To

1. The Inspector of Police,
J-1 Police Station,
Saidapet, Chennai - 600 015.
2. The Public Prosecutor,
High Court of Madras.

CrI.O.P.No.2474 of 2022

SR(CO)
RGA(07/07/2022)