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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.01.2022

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.1725 of 2022

Kalaivani Purushothaman

... Petitioner

Versus

1. The State of Tamil Nadu by
Commissioner of Police,
Greater Chennai, Veppery.
2. The Inspector of Police,
K-3, Aminjikarai Police Station,
Anna Nagar, Chennai.
3. Mrs.P.Porkodi

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the first and second respondent to provide police protection to the petitioner to run the Juice shop at No.507/295, Periyar High Road, Aminjikarai, Chennai peacefully without any interruption from the 3rd Respondent.

For Petitioner : Mr.G.Selvi George
For Respondents : Mr.E.Raj Thilak
Additional Public Prosecutor

O R D E R

This Criminal Original Petition is filed to direct the first and second respondents to provide police protection to the petitioner to run the Juice shop at No.507/295, Periyar High Road, Aminjikarai, Chennai peacefully without any interruption from the 3rd Respondent.

2. The case of the petitioner is that she is a tenant under the 3rd respondent, the third respondent earlier filed rent proceedings in R.C.O.P. No.186 of 2017 which was dismissed, thereafter the third respondent not preferred any Appeal. This being the case on 24.12.2021 the third respondent along with



goondas, broke open the petitioner's shop damaged articles, hence a complaint was lodged by the petitioner's husband on 25.12.2021, for which C.S.R.No.707/2021 assigned. Further, on coming to know about the lodging of the complaint, the third respondent gave counter complaint and C.S.R.No. 708/2021 was assigned on the same date. It is further stated that when the petitioner's husband had lodged the complaint, the third respondent again along with goondas forcibly dragged the petitioner out of the shop, dumped some stones in the shop. Since, no action taken by the second respondent, the petitioner was constrained to lodge a complaint on 27.12.2021 before the first respondent police. The petitioner further states that since the third respondent could not succeed in civil Court. with the connivance of the second respondent and goondas forcibly evicted the petitioner. It is further stated that though the petitioner produced the copy of the RCOP, the respondent police have failed to take action on the complaint lodged by the petitioner, third respondent being a lady is creating nuisance and not permitting the petitioner to carry on her business and she is unnecessarily harassed and threatened.

3. The learned Additional Public Prosecutor submitted that there are two complaints one by the petitioner and the other by the third respondent pending before the respondent police, on enquiry and after verification of documents, if cognizable offence made out FIR would be registered immediately and action will be taken.

4. Heard both sides. Perused the records.

5. Finding specific allegation against the second respondent, the second respondent is directed to submit all papers pertaining to CSR.Nos.707 and 708 of 2021 to the Assistant Commissioner of Police, Aminjikari, within a period of one week from the date of receipt of copy of this order, on receipt of the same, the Assistant Commissioner of Police, Aminjikarai shall conduct and complete the enquiry in accordance with law, complete the process within a period of three weeks.

6. This Criminal Original Petition is disposed of accordingly.

Sd/-
Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar



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To

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1. The Commissioner of Police,
State of Tamil Nadu,
Greater Chennai, Veppery.
2. The Inspector of Police,
K-3, Aminjikarai Police Station,
Anna Nagar, Chennai.
3. The Assistant Commissioner of Police,
Aminjikarai, Chennai.
4. The Public Prosecutor,
High Court, Madras.

+2cc to M/s.G.Selvi George Advocate, S.R.No.5068

CRL.O.P.No.1725 of 2022

VG II(CO)
KM(10/02/2022)