



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.02.2022

CORAM :

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Cr1.O.P.No.2467 of 2022

P.Velraj

... Petitioner

Vs.

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

2. The Inspector of Police,
Vadavalli Police Station,
Coimbatore District.

3. V.B.Rathnavel

4. K.N.Jawahar

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Code of Criminal Procedure, pleased to pass an order of direction to direct the respondents provide police protection to the petitioner in peaceful running of the Bar attached with Tasmac shop based on the complaint dated 22.01.2022 in respect of the shop of TASMAL BAR situate at, Vedapatti, Coimbatore District forthwith.

For Petitioner : Mr.C.Prabakaran

For Respondents : Mr.A.Gokulakrishnan
Additional Public Prosecutor.

ORDER

This Criminal Original Petition has been filed to direct the respondents to provide police protection to the petitioner for peaceful running of the Bar attached with Tasmac shop situated at Vedapatti, Coimbatore District, based on the complaint dated 22.01.2022.

2. Learned counsel appearing for the petitioner would submit that the petitioner had entered into the rental agreement



with one V.B.Rathnavel, Vedapatti, Coimbatore District for a period of 11 months to run a TASMAL bar and he has been carrying out the business for the past six months and the agreement is still existing, while so, V.B.Rathnavel, has illegally entered into another agreement with one K.N.Jawahar without following due process of law, thereby, the petitioner had approached the III Additional District Munsif, Coimbatore and filed a suit in O.S.NO.46 of 2022, praying for an injunction restraining the said persons to interfere peaceful possession and enjoyment of the property.

3. He would further submit that the III Additional District Munsif, Coimbatore, by an order dated 20.01.2022 in I.A.No.01 of 2022, has granted an interim injunction till 03.02.2022 and thereafter, the said V.B.Rathnavel and K.N.Jawahar had tried to break open the TASMAL bar, due to which, the petitioner had sent a representation to the first respondent on 22.01.2022, whereas, no action has been taken.

4. Mr.A.Gokulakrishnan, learned Additional Public Prosecutor would submit that if the injunction has been granted and if the petitioner approached with the Court order, the Respondent will take steps to give protection to the petitioner, subject to the petitioner having requested license to run the bar.

5. Heard the learned counsel appearing for the parties and perused the materials available on record.

6. It is the case of the petitioner that he is a resident in respect of the premises and the owner of the property had entered into an agreement with another person and had attempted to evict the petitioner, without following the due process of law. The petitioner had approached the III Additional District Munsif, Coimbatore and the Court by an order dated 20.01.2022 had granted injunction.

7. In view of the above, the petitioner is directed to approach the second respondent with Court orders and the second respondent shall take steps to give effect to the order passed by the Civil Court.

8. Recording the same, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar(CS-IX)

//True Copy//

Sub Assistant Registrar



ham/shk

To

1. The Superintendent of Police,
Coimbatore District,
Coimbatore.
2. The Inspector of Police,
Vadavalli Police Station,
Coimbatore District.
3. The Public Prosecutor,
High Court, Madras.

Cr1.O.P.No.2467 of 2022

SPD(CO)
SB(15/02/2022)