



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.06.2022

CORAM

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

Crl.O.P.No.4863 of 2022

1. The Redeemer Jesus Christ Church,
Represented by the Madras Bible League,
Vice Chairman Mr.M.K.George,
No.5/100, Kundrathur Main Road,
Mouliwakkam, Chennai - 600125.
2. The Madras Bible League,
Represented its Vice Chairman,
Mr.M.K.George,
No.5/100, Kundrathur Main Road,
Mouliwakkam, Chennai - 600125.

...Petitioners

Vs.

1. The Tahsildar
Kundrathur Tahsildar Office,
Kundrathur, Chennai.
2. The Assistant Commissioner,
Avadi, Chennai - 600 054.
3. The Inspector of Police,
T14, Mangadu Police Station,
Chennai - 600 122.
4. The Sub Inspector of Police,
T14, Mangadu Police Station,
Chennai - 600 122.
5. B.Robinson
6. P.Aruldoss
7. S.Thirumalai @ Barnabass
8. A.Moorthy @ Joshva
9. S.Saravanan @ Vincent
10. Kuppusamy @ Elisa
11. T.Munusamy @ Moses

...Respondents



Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C., pleaded to issue an order of direction, directing the 2nd, 3rd and 4th respondents to afford adequate and effective police protection to the petitioners and his fellow men to conduct religious services in the 1st petitioner without any hindrance or obstruction from the respondents 5 to 11, their men, agents or followers and anybody claiming under them by considering the representation of the petitioner's requisition letter dated 21.12.2021 made to the 1st and 2nd respondents.

For Petitioners : Mr.Ranjith Kumar

For R1 to R4 : 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 petitioners' fellow men to conduct religious services.

2. Today, when the matter is taken up for hearing, Mr.A.Gokulakrishnan, learned Additional Public Prosecutor submitted that the civil suit in O.S.No.167 of 2021 is pending between the parties.

3. At the outset, this Court is of the view, such a protection cannot be granted particularly, when there is rivalry claim by the other side. 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 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.'

6. Accordingly, this Criminal Original Petition stands dismissed.

Sd/-

Assistant Registrar (CCC)

//True Copy//



ham/shk

To

- 1.The Tahsildar
Kundrathur Tahsildar Office,
Kundrathur, Chennai.
- 2.The Assistant Commissioner,
Avadi, Chennai - 600 054.
- 3.The Inspector of Police,
T14, Mangadu Police Station,
Chennai - 600 122.
- 4.The Sub Inspector of Police,
T14, Mangadu Police Station,
Chennai - 600 122.
- 5.The Public Prosecutor,
High Court of Madras.

Cr1.O.P.No.4863 of 2022

SRR (CO)
PR (07/07/2022)