



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.06.2022

CORAM

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

Crl.O.P.No.13545 of 2022

P.Villingiri

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Thudiyalur Police Station,
Thudiyalur, Coimbatore.

... Respondent

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C., pleaded to direct the respondent police not to harass the petitioner.

For Petitioner : Mr.C.Deivasigamani

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition has been filed seeking to direct the respondent police not to harass the petitioner on the complaint given by the petitioner to give police protection.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl. Side) appearing on behalf of the respondent police.

3. It is seen that a suit has been filed by the petitioner in O.S.No.954 of 2020 on the file IIIrd Additional District Munsif Judge, Coimbatore and there is rival claim between the parties. If the respondent police finds that it is purely a civil dispute, there is no business for the police to harass the petitioner.

4. At the outset, a blanket police protection cannot be granted particularly, when there is rivalry claim by the other



side. The practice of granting the blanket police protection leads to serious consequences. 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 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. In view of the above, the Criminal Original Petition stands dismissed.

Sd/-
Assistant Registrar(CS-II)

//True Copy//

Sub Assistant Registrar

rgi/ham

To

1. The III Additional District Munsif,
Coimbatore.
2. The Inspector of Police,
Thudiyalur Police Station,
Thudiyalur, Coimbatore.
3. The Public Prosecutor,
Madras High Court, Chennai.

+1cc to Mr.C.Deivasigamani, Advocate, S.R.No.38794

Cr1.O.P.No.13545 of 2022

RSV(CO)
UMA(28/06/2022)