

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.06.2022

CORAM

THE HONOURABLE MR. JUSTICE N.SATHISH KUMAR

Cr1.O.P.No.10044 of 2022

Dharshini Dharman

... Petitioner

Vs.

1.The Commissioner of Police,
Greater Chennai,
Vepery,
Chennai - 600 007.

2.The Deputy Commissioner,
Adyar Range,
Chennai.

3.The Inspector of Police,
J.9, Thuraipakkam Police Station,
Chennai.

4.Purushothaman,

... Respondents

PRAYER: This Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the third respondent to take necessary action against the 4th respondent herein and give adequate Police Protection to live the petitioner and her husband in her house at No.2 of 2022, Gangaiamman Koil Street, Thuraipakkam, Chennai.

For Petitioner : No appearance

For Respondent : Mr.A.Gokulakrishnan
Addl. Public Prosecutor for R1 to R3

O R D E R

This Criminal Original Petition has been filed to direct the third respondent to take necessary action against the 4th respondent herein and give adequate Police Protection to the petitioner and her husband in her house at No.2 of 2022,

Gangaiamman Koil Street, Thuraipakkam, Chennai.

2. There is no representation on behalf of the petitioner. Heard the learned Additional Public Prosecutor for respondents 1 to 3 and perused the materials available on record.

3. At the outset, this Court is of the view that such a protection cannot be granted particularly, when there is rival claim by the other side. The practice of granting the blanket police protection particularly, immovable property without establishing title 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 has 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.''

4. In view of the above, this Criminal Original Petition is dismissed.

Sd/-

Assistant Registrar(CS-IX)

// True Copy //

Sub Assistant Registrar

dpq

To

1.The Commissioner of Police,
Greater Chennai,
Vepery,
Chennai - 600 007.

2.The Deputy Commissioner,
Adyar Range,
Chennai.

3.The Inspector of Police,
J.9, Thuraipakkam Police Station,
Chennai.

4.The Public Prosecutor
High Court of Madras.

+1cc to Mr.K.Panjamurthy, Advocate SR.No.37400

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MG(CO)
CB(12/07/2022)