



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.06.2022

CORAM

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

CRL.O.P.NO.11985 OF 2022

A.Simon Raj

...Petitioner

Vs.

1.The State Represented by
The Superintendent of Police,
Thiruvallur District.

2.The Inspector of Police,
B-6, Mappedu Police Station,
Thiruvallur District.

...Respondents

PRAYER : This Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the respondents to register the case and gave a protection based on the complaint given by the petitioner dated 22.04.2022 and take further action in accordance with law.

For Petitioner : Mr.G.Mohanakrishnan
for Mr.L.Kodiyarasan

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

O R D E R

This Criminal Original Petition has been filed seeking for a direction the respondents to register the case and gave a protection based on the complaint given by the petitioner dated 22.04.2022 and take further action in accordance with law.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor and perused the materials available on record.

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. 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 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.''

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

Sd/-
Assistant Registrar(CO)

// True Copy //

Sub Assistant Registrar

shk/rgi

To

- 1.The Superintendent of Police,
Thiruvallur District.
- 2.The Inspector of Police,
B-6, Mappedu Police Station,
Thiruvallur District.
- 3.The Public Prosecutor,
High Court of Madras.

+1cc to Mr.L.Kodiyarasan, Advocate Sr.No.33296

Cr1.O.P.No.11985 of 2022

RLD(CO)
RVM(15/06/2022)