



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.06.2022

CORAM

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

Cr1.O.P.No.11795 of 2022

S.Tajjunisha

... Petitioner

Vs.

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

2. The Inspector of Police,
Veppankuppam Police Station,
Vellore District.

3. A.Salim

4. S.Amjith

5. Jawar

6. Appu

... Respondents

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C. to direct the 2nd respondent to provide police protection for the construction of the compound wall of the petitioner's property.

For Petitioner : Mr.M.Sathishkumar

For R1 & R2 : Mr.A.Gokulakrishnan
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the 2nd respondent to provide police protection for the construction of the compound wall of the petitioner's property.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent police 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 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.''

5. Accordingly, this Criminal Original Petition is dismissed and if so advised, the petitioner is at liberty to approach the Civil Court to workout his remedy.

Sd/-
Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

rgi/shk

To

1. The Superintendent of Police,
Vellore District,
Vellore.
2. The Inspector of Police,
Veppankuppam Police Station,
Vellore District.
3. The Public Prosecutor,
Madras High Court,
Chennai.

Cr1.O.P.No.11795 of 2022

NRL(CO)
SB(16/06/2022)