

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.06.2022

CORAM

THE HONOURABLE MR. JUSTICE N.SATHISH KUMAR

Cr1.O.P.No.14294 of 2022

G.Purusothaman

... Petitioner

Vs.

1. Superintendent of Police,
Office of Superintendent of Police,
Kallakurichi-606 202.

2. Inspector of Police
Kallakurichi Police Station,
Kallakurichi-606 202.

3. Mani

4. Arun

... Respondents

PRAYER: This Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the 3rd respondent to provide police protection to the petitioner as well as his property measuring 1008 sq ft vacant land under the survey No.125/1, Patta No.1619 and registered as Document No.3516/2017 on the file of SRO, Kallakurichi Joint 2, Kallakurichi District, on the basis of the petitioner's representation dated 17.05.2022.

For Petitioner : Mr.D.Murugan

For Respondents : Mr.A.Gokulakrishnan for R1 and R2
Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed to direct the 2nd respondent police to provide police protection to the petitioner as well as his property measuring 1008 sq ft vacant land under the Survey No.125/1, Patta No.1619 and registered as Document No.3516/2017 on the file of SRO, Kallakurichi Joint 2, Kallakurichi District, on the basis of the petitioner's representation dated 17.05.2022.

2. The learned Additional Public Prosecutor appearing for the first and second respondents would submit that there is a

civil suit pending between the parties.

3. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the first and second respondents.

4. At the outset, this Court is of the view, such a protection cannot be granted particularly, when there is rival 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.''

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

Sd/-

Assistant Registrar(CS-V)

//True Copy//

Sub Assistant Registrar

nr/shk

To

1. The Superintendent of Police,
Office of Superintendent of Police,
Kallakurichi-606 202.
2. The Inspector of Police
Kallakurichi Police Station,
Kallakurichi-606 202.
3. The Public Prosecutor,
High Court of Madras,
Chennai.

Cr1.O.P.No.14294 of 2022

PMK(CO)
UMA(13/07/2022)