



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.01.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P (MD) No.1275 of 2022

R.Gopalakrishnan

... Petitioner

Vs.

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

2. The Inspector of Police,
Karuppayurani Police Station,
Madurai.

3. A.Alagar

4. A.Jeevanantham

5. A.Jothi

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C., to direct the second respondent to grant police protection for the petitioner's property measuring an extent of 28 cent in Resurvey No.44/4, Kunnathur Bit-I Village, Madurai North Taluk, Madurai District, on the basis of the petitioner's representation, dated 05.10.2021.

For Petitioner : Mr.M.P.Senthil

For Respondents : Mr.E.Antony Sahaya Prabahar

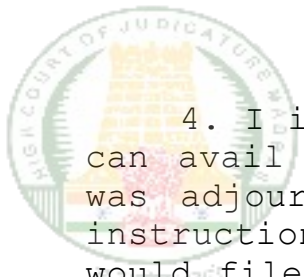
Additional Public Prosecutor for R1 & R2

ORDER

Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents 1 and 2.

2.Considering the nature of the relief to be granted, the issuance of the notice to the private respondents is dispensed with.

3.The petitioner is the plaintiff in O.S.No.71 of 2016 on the file of the learned District Munsif Court, Melur. He filed I.A.No.140 of 2016 and obtained an order of interim injunction on 17.09.2016. The petitioner categorically states that injunction is to be in force till the disposal of the suit. He would also state that the said order has attained finality. Since the private respondents are committing breach of the said order, he moved this Court seeking police protection.



4. I indicated to the petitioner's counsel that the petitioner can avail the remedy under the Civil Procedure Code. The matter was adjourned to enable the counsel for the petitioner to take instructions. The petitioner's counsel states that the petitioner would file a petition under Order 39 Rule 2(A) read with Section 151 CPC for punishing the persons who have disobeyed the order of injunction granted by the Court below. If such an application is filed, the same will be disposed of on merits and in accordance with law within a period of four weeks thereafter.

5. With this direction to the learned trial Court, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (P&A)

// True Copy //

/ /2022

Sub Assistant Registrar (CS)

mga

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1. The Superintendent of Police,
Madurai District, Madurai.
2. The Inspector of Police,
Karuppayurani Police Station, Madurai.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Copy to :

The District Munsif, Melur.

+1 CC to M/s.M.P.SENTHIL, Advocate (SR-2864[F] dated 28/01/2022)

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