



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.02.2022

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.(MD).No.3506 of 2022

K.Balakrishnan

... Petitioner

Vs.

1. The Superintendent of Police,
Sivagangai,
Sivagangai District.
2. The State
Represented by its Inspector of Police,
Devakottai Town Police Station,
Devakottai, Sivagangai District.
3. N.Periasamy
4. N.Ramanathan
5. N.Boominathan
6. N.Arumugam

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C., to direct the 1st respondent herein to the respondent police to provide the petitioner protection for its property in Devakottai Town, Old Ward 14, New ward 15, Survey Ward C Block 9 R.S.No. 28, 14, 9, 27, 46 and 26 part, measuring about 13944 sq ft, 1977 sq ft, 466 sq ft, 3609 sq ft, 1873 sq ft and 1744 sq ft respectively, all totalling to 67223 sq ft, based on the injunction order granted by the learned subordinate Judge, Devakottai in I.A.No. 2 of 2021 in O.S. No. 196 of 2021, dated 10.08.2021, within the time limit fixed by this Court.

For Petitioner : Mr.VR.Shanmuganathan

For R-1 & R-2 : Mr.R.M.Anbunithi
Additional Public Prosecutor(Crl. Side)



ORDER

This Criminal Original Petition has been filed to direct the 1st respondent herein to the respondent police to provide the petitioner protection for its property in Devakottai Town, Old Ward 14, New ward 15, Survey Ward C Block 9, R.S.Nos. 28, 14, 9, 27, 46 and 26 part, measuring about 13944 sq ft, 1977 sq ft, 466 sq ft, 3609 sq ft, 1873 sq ft and 1744 sq ft respectively, all totalling to 67223 sq ft, based on the injunction order granted by the learned subordinate Judge, Devakottai in I.A.No. 2 of 2021 in O.S.No. 196 of 2021, dated 10.08.2021, within the time limit fixed by this Court.

2. The learned counsel for the petitioner would submit that on the basis of the interim injunction granted in a suit filed by the petitioner, the petitioner sought for police protection. However, when the suit is pending, the respondent police did not consider the same and as such, the petitioner filed a petition seeking police aid before the same Court and it is pending.

3. Considering the above facts and circumstances, the Trial Court is directed to consider the application and dispose of the same on merits and in accordance with law.

4. With the above observations, this Criminal Original Petition is disposed of. However, the petitioner is at liberty to lodge a fresh complaint on fresh cause of action.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

Lm

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 Subordinate Judge,
Devakottai.

2. The Superintendent of Police,
Sivagangai, Sivagangai District.



3. The Inspector of Police,
Devakottai Town Police Station,
Devakottai, Sivagangai District.

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P (MD) .No.3506 of 2022
21.02.2022

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