



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.06.2022

CORAM:

THE HONOURABLE MR. JUSTICE **V.SIVAGNANAM**

Crl.O.P.(MD) No.10564 of 2022

Suriya Praba

...Petitioner

Vs.

1.The Commissioner of Police,
Madurai City,
Madurai.

2.The Inspector of Police,
Vilakuthoon Police Station,
Madurai District.

3.Baskaran

4.Marimuthu

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying this Court to direct the second respondent to provide Police protection to life and limb of the petitioner and her shop from the third and fourth respondents.

For Petitioner : Mr.K.Backiyaraj

For R-1 and R-2 : Mr.R.Suresh Kumar,
Government Advocate
(Criminal Side)

ORDER

This Criminal Original Petition has been filed to direct the second respondent to provide Police protection to life and limb of the petitioner and her shop from the third and fourth respondents.

2. The learned counsel for the petitioner submitted that petitioner is the owner of the Shop situated at Chithirai Street. The third and fourth respondents were the lessees of the Shop for a rent of Rs.2300/- from the year 2010. The petitioner's mother passed away on 12.05.2021. The petitioner is the only legal heir of her mother. After the death of her mother, the third and fourth respondents did not pay rent to the petitioner. Without paying the rent and vacating the shop, the third and fourth respondents threatened to kill the petitioner inside the shop. Hence, the petitioner gave a complaint on 06.06.2022. But no action was taken.



3. The learned Government Advocate (Criminal Side) submitted that the petitioner has previously gave a complaint on 13.03.2022. On that complaint, the enquiry was conducted and C.S.R was also numbered. After enquiry, the Police advised the parties to approach before the Civil Court to get appropriate remedies. Again another complaint was preferred by the petitioner on 06.06.2022.

4. I have considered the matter in the light of the submissions made by the learned counsels for both the parties.

5. Admittedly, the petitioner is the owner of the Shop and the third and fourth respondents are tenants. On account of the death of the petitioner's mother, the third and fourth respondents refused to pay the rent to the petitioner and vacate the shop and they had also threatened to kill the petitioner. Hence, the Present Criminal Original Petition has been filed. The learned Government Advocate (Criminal Side) submitted that the respondent Police rightly advised to approach the Civil Court for getting appropriate remedy.

6. In view of the above, this Court directs the second respondent to consider the representation dated 06.06.2022 given by the petitioner and take appropriate action.

7. With the above direction, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (AE)

// True Copy //

/06/2022

Sub Assistant Registrar(CS)

Nsr

To

1.The Commissioner of Police,
Madurai City,
Madurai.

2.The Inspector of Police,
Vilakuthoon Police Station,
Madurai District.

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

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MGJ(24.06.2022) 2P 4C