



Crl.O.P.(MD)No.16228 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 14.11.2022

CORAM :

CORAM : JUSTICE SATHI KUMAR SUKUMARA KURUP

Crl.O.P.(MD)No.16228 of 2022

R.Indira

... Petitioner

Vs.

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

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

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondents to give adequate police protection to protect the life and limb of the petitioner and his family members.

For Petitioner : Mr.V.Santhakumaresan
For Respondents : Mr.A.Albert James
Government Advocate (Crl. Side)

ORDER

This Petition has been filed seeking direction to the respondents to provide police protection to the life and limb of the Petitioner and his family members.



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2.The learned Counsel for the Petitioner submitted that the Petitioner had filed a suit in O.s.No.885 of 2012 before the Court of the learned District Munsif, Melur for the relief of specific performance, based on which the decree was granted in favour of the Petitioner. The Petitioner also filed Execution Petition in E.P.No.243 of 2015 and the same came to be allowed in his favour. Based on the same, sale deed was executed in favour of the Petitioner. Subsequently, the third parties had been interfering with the peaceful possession and enjoyment of the property. Hence, the Petitioner has filed the present petition with the aforesaid prayer.

3.Considering the facts and circumstances of the case, this Court is of the view that when there is a decree in favour of the Petitioner, it is not appropriate to approach this Court by filing petition seeking police protection. The proper course is to approach the civil Court concerned. The Petitioner has approached the wrong forum ignoring the strength of the civil Court decree and same is not at all maintainable.

4.Accordingly, this Criminal Original Petition is dismissed.

14.11.2022

Index : Yes/No
Internet: Yes/No



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



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SATHI KUMAR SUKUMARA KURUP, J.,

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