



Crl.O.P.(MD)No.2263 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **03.02.2023**

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.2263 of 2023

Sundar Singh

... Petitioner

Vs.

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

2.The Inspector of Police,
Eral Police Station,
Thoothukudi District.

3.Salomi

4.Gandhi @ Ravikumar

5.Thavamani

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the respondents 1 and 2 to provide police protection to the life and limb of the petitioner against the threat perceived from the respondents 3 to 5 on the basis of the petitioner's representation dated 11.11.2022.



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For Petitioner : Mr.T.Indrachithu
For R1 & R2 : Mr.SS.Madhavan
Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition has been filed, invoking Section 482 Cr.P.C., seeking orders to direct the respondents 1 and 2 to provide police protection to the life and limb of the petitioner against the threat perceived from the respondents 3 to 5 on the basis of the petitioner's representation dated 11.11.2022.

2. The learned counsel appearing for the petitioner would submit that the petitioner has leased out his property to the third respondent on 16.11.2018 and that after the expiry of the lease period, the third respondent has refused to vacate the premises.

3. The learned Government Advocate (Criminal Side) appearing for the respondents 1 and 2 would submit that on the basis of the complaints given by the petitioner as well as the third respondent, CSRs came to be registered and that since there existed civil dispute between the parties, the complaints were ordered to be closed.



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4. Remedy open to the petitioner is to file a suit for possession or for eviction through Rent Controller.

5. Admittedly, there is no enforceable decree or order from the competent civil Court and as such, the granting of police protection does not arise at all. As of now, leaving open the petitioner's rights and remedies, this Criminal Original Petition is dismissed.

03.02.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
csm

To

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



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K.MURALI SHANKAR,J.

csn

Order made in
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