



Crl.O.P.(MD)No.20787 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **20.11.2023**

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGO VAN**

Crl.O.P.(MD) No.20787 of 2023

M.Ibrahim

... Petitioner

Vs.

1. The Commissioner of Police,
Madurai City,
Madurai - 625 007.

2. The Inspector of Police, (L & O),
B-6, Jaihindpuram Police Station,
Madurai City,
Madurai District.

3. R.M.Karuppasamy

4. P.Savithri

5. Ali Akbar

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the 1st respondent to issue necessary direction to the 2nd respondent to give Police protection to the petitioner, based on the complaint of the petitioner, dated 30.10.2023 made to the 1st respondent.



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For Petitioner : Mr.A.Ramesh

For R1 & R2 : Mr.R.M.Anbunithi,
Additional Public Prosecutor.

ORDER

On strength of the interim order in I.A.No.91 of 2020 in O.S.No. 156 of 2008 passed by the learned Additional District Munsif, Madurai Town, the petitioner gave a complaint/representation, seeking Police protection for the purpose of executing the above said order.

2. The facts in brief:

The petitioner owning a house bearing Door No.29A in Rural Survey No.59/28 situated at Ward No.60, Madurai Municipal Corporation. The private respondents created a litigation and filed a suit in O.S.No.156 of 2008 before the Additional District Munsif Court, Madurai Town and it is still pending.

3. Pending the above said civil process, the petitioner filed I.A. No.91 of 2020 in the pending suit, seeking permission of the Court to carry out the renovation work, that was allowed. Based upon which, he started his work. On 29.09.2023, the respondents No.3 to 5 came to the spot and made trouble to the petitioner. Based upon the above said



occurrence, he gave a representation dated 30.09.2023, seeking Police protection, that was not considered within a time stipulated. So, this petition has been filed.

4. Heard the petitioner and the learned Additional Public Prosecutor.

5. On the strength of I.A.No.91 of 2020 in O.S.No.156 of 2008, dated 25.01.2021, a representation was made by the petitioner. Permission was granted to the petitioner by the concerned trial Court to remove the sunshades, cement plastering and for making necessary repairs in the petition mentioned property. When the permission was granted by the concerned trial Court, if any trouble is made by the private respondents, the petitioner is at liberty to approach the concerned trial Court itself, seeking further orders for enforcement of the same. Without approaching the concerned Court for enforcing the order, representation has been made by the petitioner, seeking Police protection. The petitioner ought to have workout his remedy in the pending suit proceedings itself. Only after getting proper order from the concerned trial Court, if any necessity arises, then only the second respondent can extend the Police protection.



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6. With the above direction and liberty, this Criminal Original

Petition stands disposed of.

20.11.2023

NCC: Yes/No

Index : Yes/No

Internet : Yes/No

Indu

Note: Issue order copy on 21.11.2023

To

1. The Commissioner of Police,
Madurai City,
Madurai - 625 007.
2. The Inspector of Police, (L & O),
B-6, Jaihindpuram Police Station,
Madurai City,
Madurai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGO VAN. J.

Indu

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