



WEB COPY

Crl.O.P.No.24780 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.11.2024

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

Crl.O.P.No.24780 of 2024

M.Kanakaraju

... Petitioner

Vs.

1. The Superintendent of Police
O/o. The Superintendent of Police
Coimbatore

2. The Inspector of Police
Kovilpalayam Police Station
Kovilpalayam, Coimbatore

3. K.Yuvaraj

... Respondents

Prayer: Criminal Original Petition filed under Section 528 of B.N.S.S. to direct the respondents 1 and 2 to provide adequate police protection to the life and properties of the petitioner considering the representation dated 11.07.2024 in view of order passed in I.A.No.2 of 2023 in O.S.No.479 of 2023 dated 27.03.2024 on the file of the District Munsif cum Judicial Magistrate Court, Annur, within the time stipulated by this Court.



For Petitioner : Mr.K.Magesh
For Respondents 1 and 2 : Mr.S.Sugendran
Additional Public Prosecutor
For 3rd respondent : Not ready in notice

ORDER

This Criminal Original Petition has been filed by the petitioner to direct the respondents 1 and 2 to provide adequate police protection to the life and properties of the petitioner by considering his representation dated 11.07.2024 in view of the order passed in I.A.No.2 of 2023 in O.S.No.479 of 2023, dated 27.03.2024, on the file of the District Munsif cum Judicial Magistrate Court, Annur.

2. The case of the petitioner is that there was a property dispute between the petitioner and his second son and hence, the petitioner filed a suit in O.S.No.249 of 2023 before the District Munsiff Court, Annur, in which, interim injunction was granted to the petitioner. Despite the same, the second son of the petitioner/3rd respondent herein, frequently disturbing and threatening the petitioner to kill him if the properties are not transferred in his favour. Hence, the petitioner lodged a police complaint on 11.07.2024 to take



necessary action against the 3rd respondent from interfering his business and property and to give police protection to the petitioner and his property in view of the interim injunction granted by the Civil Court. However, the same has not been considered. Hence, the present petition has been filed before this Court.

3. The learned Additional Public Prosecutor appearing for the respondent police submitted that the complaint has been lodged against the petitioner's own son and that, the petitioner has already approached the Civil Court and also got the order of interim injunction.

4. Heard and perused the materials available on record.

5. The prayer regarding police protection to properties of the petitioner is concerned, the petitioner has already filed a suit and also got the order of interim injunction. Therefore, no direction can be given to the police in respect of the properties in which already interim injunction has been granted by the Civil Court and if at all the 3rd respondent violated the order of interim injunction, remedy is very much available to the petitioner before the Civil Court.



6. Insofar as the police protection to the life of the petitioner is concerned, the respondents 1 and 2 are directed to consider the petitioner's representation dated 11.07.2024, conduct enquiry and pass orders in accordance with.

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

04.11.2024

Index : Yes / No

Speaking Order : Yes / No

Neutral Citation Case : Yes/No

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To

1. The Superintendent of Police

O/o. The Superintendent of Police, Coimbatore

2. The Inspector of Police

Kovilpalayam Police Station

Kovilpalayam, Coimbatore

3. The Public Prosecutor,

High Court of Madras.



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P.VELMURUGAN. J.

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