



WEB COPY

Crl.O.P.No.24492 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.24492 of 2024

S.Parvathi

... Petitioner

Vs.

1. The Commissioner of Police

Greater Police Chennai

Vepery, Chennai

2. The Inspector of Police (L&O)

V5, Tirumangalam Police Station

Chennai

3. Smt.Sabari Pratap

... Respondents

Prayer: Criminal Original Petition filed under Section 528 of B.N.S.S. to direct the 2nd respondent to provide necessary police protection to the petitioner and his family from the 3rd respondent and other anti-social elements pursuant to the petitioner's representation dated 05.09.2024.

For Petitioner : Mr.V.Lakshmi Narayanan

For Respondents 1 & 2 : Mr.S.Sugendran
Additional Public Prosecutor

For 3rd Respondent : Mr.R.Ganesh



ORDER

This Criminal Original Petition has been filed by the petitioner to direct the 2nd respondent to provide necessary police protection to the petitioner and his family from the 3rd respondent and other anti-social elements pursuant to the petitioner's representation dated 05.09.2024.

2. The case of the petitioner is that there was a property dispute between the petitioner and her sister/3rd respondent. Hence, the petitioner along with her brothers, filed a suit before this Court in C.S.No.278 of 2021 against her sister/3rd respondent and mother in which, interim injunction was also granted and the same is still in force. However, the 3rd respondent by hiring henchmen, threatening the petitioner with dire consequences and to damage the property. Hence, the petitioner gave a representations dated 05.09.2024 and 09.09.2024 to the respondents 1 and 2 to provide adequate police protection to the petitioner and her family members. But the same has not been considered so far. Hence, the present petition has been filed invoking Section 528 of B.N.S.S. seeking direction to the 2nd respondent to provide necessary police protection to the petitioner and her family members.



3. Heard both sides and perused the materials available on record.

4. The police has nothing to do with the civil case. When a civil suit is pending, invoking Section 528 of B.N.S.S. is nothing but abuse of process of law. Therefore, this Criminal Original Petition is dismissed.

5. The petitioner is directed to work out her remedy before the Civil Court in the pending civil suit.

04.11.2024

Index : Yes / No

Speaking Order : Yes / No

Neutral Citation Case : Yes/No

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Greater Police Chennai
Vepery, Chennai

2. The Inspector of Police (L&O)
V5, Tirumangalam Police Station
Chennai

3. The Public Prosecutor,
High Court of Madras.



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P.VELMURUGAN. J.

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