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Crl.O.P.(MD).No.16056



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.11.2024

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Crl.O.P.(MD).No.16056 of 2023

Mangala J.Murali

...Petitioner

Vs.

- 1.The Commissioner of Police,
Tirunelveli District,
Tirunelveli.
- 2.The Deputy Superintendent of Police,
Central City Crime Branch,
Palayamkottai,
Tirunelveli-627 002.
- 3.The Inspector of Police,
Tirunelveli Junction Police Station,
Tirunelveli.
- 4.S.Vella Pandi

5.M.Madhavan

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. to direct the third respondent to give Police protection for life and limb and peaceful livelihood in the petitioner's property in Door Nos.43A, 43B and 43C, Salai Street, Sindupoondurai, Tirunelveli Junction, within the period as stipulated by this Court.

For Petitioner

: Mr.Ananth C.Rajesh

For R-1 to R-3

: Mr.B.Thanga Aravindh,
Government Advocate (Crl. Side)

For R-4 & R-5

: Mr.T.Selvam



Crl.O.P.(MD).No.16056

ORDER

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This Criminal Original Petition has been filed seeking for a direction to the third respondent to provide police protection to the petitioner based on the complaint given by the petitioner on 14.07.2023, wherein, the petitioner has alleged that the fourth and fifth respondents had barged into the property, in which, the petitioner is having his office and had threatened the petitioner and had removed the name board of the petitioner.

2. The learned Government Advocate (Criminal Side) appearing on behalf of the respondent Police on instructions submitted that the respondent Police have closed the complaint, since both the sides did not co-operate.

3. Heard the learned counsel appearing for the petitioner, the learned Government Advocate (Criminal Side) appearing for the respondent Police and the learned counsel appearing on behalf of respondent Nos.4 and 5.

4. In the considered view of this Court, both the petitioner as well as the fourth and fifth respondents are Advocates. The petitioner is running an office in the subject property. If there is any rival claim for the fourth and fifth respondents, they can only agitate the same before the competent Court.



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5. According to the learned counsel appearing for respondent Nos.4 and 5, their landlord is one Deepakrajkumar and already, the landlord has filed a suit against the petitioner in O.S.No.331 of 2023, which is pending on the file of the Principal District Munsif Court, Tirunelveli.

6. In view of the above, the parties will have to only agitate their rights in the pending case and no one should be permitted to take law into their own hands. This is more so in the case of Advocates. Hence, without causing any further embarrassment, the fourth and fifth respondents will agitate their rights only before the competent Court and will not cause any further threat or disturbance to the petitioner.

7. This Criminal Original Petition is disposed of in the above terms.

22.11.2024

Index : Yes / No
Internet : Yes / No
Speaking Order/Non Speaking Order
TSG



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To

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Tirunelveli.

2.The Deputy Superintendent of Police,
Central City Crime Branch,
Palayamkottai,
Tirunelveli-627 002.

3.The Inspector of Police,
Tirunelveli Junction Police Station,
Tirunelveli.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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N.ANAND VENKATESH, J.

TSG

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