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CRL OP No. 32768 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-12-2025

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP No. 32768 of 2025

1. D.Prabakar
2. D.Anguprakash

Petitioners

Vs

1. The Commissioner of Police,
Coimbatore-641 018.

- 2.The State rep. by
the Inspector of police
E-2, Peelamedu Police Station,
Coimbatore-641 014.

- 3.Deivanayagam

- 4.Angaraj

Respondents

PRAYER This Criminal Original Petition filed under 528 of B.N.S.S., to direct the 2nd respondent police to grant adequate police protection to the petitioners life and limb.

For Petitioners: Mr.T.Sai Krishnan

For Respondents: Mr.S.Santhosh,
Government Advocate (Crl. Side)
for R1 and R2

ORDER

This Criminal Original Petition has been filed seeking a direction to the 2nd respondent police to grant adequate police protection to the petitioners.



2. The case of the petitioners is that respondents 3 and 4 have been constantly disturbing and threatening the petitioners by using their henchmen and they are attempting to unlawfully grab the properties belonging to the petitioners. Therefore, the first petitioner lodged a complaint against the 4th respondent before the E2 Peelamedu Police Station and the same is registered in CSR No.1596 of 2025 on 06.11.2025. However, since the respondent Police have not taken any action thereafter, the present petition has been filed.

3. The learned Government Advocate (Criminal Side) submitted that a dispute exists between the petitioners and the private respondents with regard to the ownership of the subject property and civil suits are also pending between them.

4. Having heard the learned counsel appearing on either side and upon perusal of the materials available on record, this Court is of the view that when there is a rival claim by the opposite party, the practice of granting blanket police protection, especially in respect of immovable property without title being established, may lead to serious consequences. In this context, it is apropos to point out that the Hon'ble Apex Court, in ***PR.Muralidharan and others Vs. Swami Dharmananda Theertha Padar***, reported in (2006) 4 SCC 501, has held as follows:



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"...19.A Writ for "Police Protection "so-called, has only a limited scope, as when the Court is approached for protection of rights declared by a decree or by an order passed by a civil Court. It cannot be extended to cases where rights have not been determined either finally by the civil Court or, at least at an interlocutory stage in an unambiguous manner, and then too in furtherance of the decree or order."

5. Accordingly, this Criminal Original Petition stands closed. The petitioners are at liberty to work out the remedy before the Civil Court in accordance with law.

02-12-2025

vum

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

To

1. The Commissioner of Police
Coimbatore-641 018

2. The Inspector of police
E-2, Peelamedu Police Station,
Coimbatore-641 014

3. The Public Prosecutor,
Madras High Court, Chennai.



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A.D.JAGADISH CHANDIRA J.

vum

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