



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-07-2026

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THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

CRL OP No. 17928 of 2026

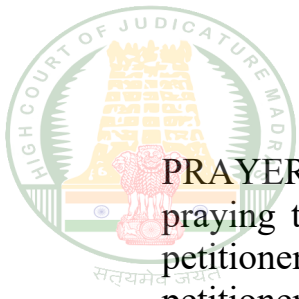
Haridoss
S/o. Perumal,
Mangalamamandur Junction,
Vandavasi Taluk,
Tiruvannamalai District.

..Petitioner(s)

Vs

1. State Rep by
The Superintendent of Police,
O/o. Superintendent of Police,
Tiruvannamalai,
Tiruvannamalai District.
2. The Inspector of Police
Kilkodungalore Police Station,
Tiruvannamalai District.
3. Metharamesh
S/o. Kuppusamy,
375, Melmaruvathur Road,
Mangalamamandur Junction,
Vandavasi Taluk,
Tiruvannamalai District.

..Respondent(s)



PRAYER: This Criminal Original Petition is filed under Section 528 of BNSS praying to direct the respondents 1 and 2 to provide police protection to the petitioners life and liberty for enabling him to carry peaceful business in the petitioners shop situated at Mangalam Mamandur village, Vandavasi Taluk, Tiruvannamalai District.

For Petitioner(s): Mr. R.Thirumoorthy

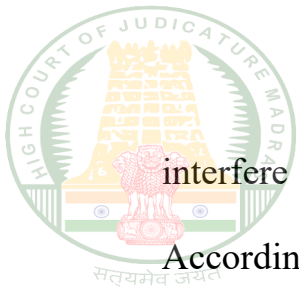
For Respondent(s): Mr. R. Rajasekaran,
Counsel for Government of Tamil Nadu
(Criminal Side) For R1 And R2.

ORDER

This Criminal Original petition is filed to direct the respondents to give protection to the petitioner's life and liberty, enabling him to carry on peaceful business in the petitioner's shop.

2. The case of the petitioner is that the petitioner is the owner who is in possession and enjoyment of the shop. The 3rd respondent has trespassed to his shop caused loss and also attacked the petitioner. The incident was reported to the respondent police. The case in Crime No. 203 of 2023 is also registered for the alleged offences under section 341, 448, 384 506(i), 109 of IPC read with section 3 of the The Tamil Nadu Property (Prevention of Damage and Loss) Act.

3. The learned counsel for the petitioner would submit that in the said case while granting bail to the accused, a condition was imposed directing the 3rd respondent/accused to file an affidavit undertaking that he would not



interfere in the peaceful possession of the defacto complainant's property.

Accordingly, the affidavit was also filed. Thereafter, a Criminal Miscellaneous petition was also filed to vary the condition which was also dismissed. In spite thereof, the 3rd respondent is interfering in the peaceful possession of the property. This court is not pronouncing upon the merits of the case and as such, the criminal original petition is disposed of at the admission stage, without notice to the 3rd respondent. So long as, affidavit of undertaking as directed by the Court is there on record and the same is not varied by any competent Court, the 3rd respondent is liable to abide by the said condition. The parties have also not moved to the Civil court. If there is any order of the civil Court then thereafter the property rights will be dependent upon the orders of the civil court. In the interregnum, since it is stated that affidavit is filed pursuant to the direction of this court, it is the duty of the third respondent to abide by the directions. It will be open for the petitioner to bring any instance of violation of the undertaking to the respondent police and immediately upon receiving the information, the respondent police shall take appropriate action. Accordingly, this Criminal Original petition is disposed of.

10-07-2026

Neutral Citation: No

PBL



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CRL OP No. 17928 of 2



D.BHARATHA CHAKRAVARTHY, J.

PBL

To

1. The Superintendent of Police,
O/o. Superintendent of Police,
Tiruvannamalai,
Tiruvannamalai District.
2. The Inspector of Police
Kilkodungalore Police Station,
Tiruvannamalai District.
3. The Public Prosecutor, High Court, Madras.

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