

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.12.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Crl.O.P.Nos.29205 of 2015 and 29374 of 2015

Abdul Latheef

...Petitioner in both the petitions

Vs

The Inspector of Police
Perambalur Police Station,
Perambalur,
Perambalur Dist.

...Respondent in both the petitions

Criminal Original Petition No.29205 of 2015 filed under Section 482 Cr.P.C. to direct the respondent police to register a case on the petitioner's complaint dated 18.11.2015 and to file a final report in accordance with law.

Criminal Original Petition No.29374 of 2015 filed under Section 482 Cr.P.C. to direct the respondent police to provide police protection to the petitioner and his property based on the complaint dated 18.11.2015 on receipt of payment from the petitioner.

For Petitioner in both OP's : Mr.P.Krishnan

For respondent in both OP's : Mr.C.Emalias,
Addl.Public Prosecutor.

C O M M O N O R D E R

Since the issued involved in both the petitions are inter-related to each other, these petitions are disposed by a common order.

2.The Criminal Original Petition No.29205 of 2015 has been filed for direction to the respondent police on the petitioner's complaint dated 18.11.2015 and to file a final report in accordance with law and the Criminal Original Petition No.29374 of 2015 is filed to direct the respondent police to provide police protection to the petitioner and his property based on the complaint dated 18.11.2015.

3. The petitioner herein purchased 50 cents of land at Perambalur Town in Survey No.333/23A, B, C in the year 1985 from Chellappan and others. From the date of purchase the petitioner was in possession and enjoyment of the property. The petitioner vendor's son namely Mani attempted to trespass into the petitioner's property. Hence the petitioner filed a suit for permanent injunction against him not to interfere with his peaceful possession and enjoyment of the said property in O.S.No.273 of 2006. Thereafter, the learned District Munsif, Perambalur granted interim injunction and subsequently it was made absolute. While so, on 15.11.2015, when the petitioner was cleaning his property, the said Mani along with 15 persons came to the property and threatened him with dire consequences that if the petitioner enter on his land, he will close the life of the petitioner, hence the petitioner lodged a complaint and police protection before the respondent police. Though CSR has been assigned, no action was taken. Therefore, the petitioner has come forward with the present petitions.

4. I have heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent.

5. Considering the submissions on either side and since the CSR No.490/2015 has been assigned and the matter is pending for enquiry, this Court directs the respondent to conduct an enquiry on the complaint dated 18.11.2015 given by the petitioner and if there are materials indicating commission of offence, he is directed to proceed further in accordance with law, as early as possible.

6. In so far as the police protection to the petitioner is concerned, the respondent police is directed to pass orders within a period of three weeks from the date of receipt of copy of the order after giving personal hearing to the petitioner as well as necessary parties

These Criminal Original Petitions are disposed of accordingly.

Sd/
ASSISTANT REGISTRAR (CS-II)

/TRUE COPY/

SUB-ASSISTANT REGISTRAR

ssd

To

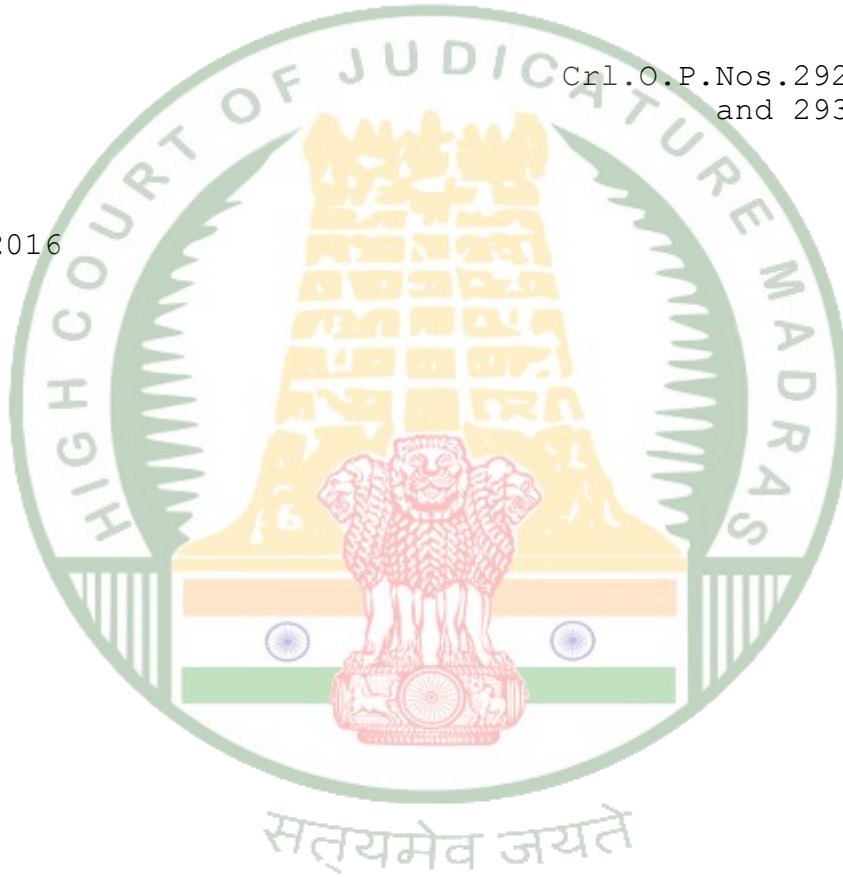
1. The Inspector of Police
Perambalur Police Station,
Perambalur,
Perambalur Dist.

2.The Public Prosecutor,
High Court, Madras.

+1 CC to MR.P.Krishnan Advocate. SR.NO. 66660

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and 29374 of 2015

CO-SV
JD 04/01/2016



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