

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.01.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Crl.O.P.No.1288 of 2016

T.A.Muthu kumar ... Petitioner/Defacto Complainant

Vs

State Rep. by
The Inspector of Police,
Thondamuthu Police Station,
Coimbatore,
Coimbatore District. ... Respondent/Complainant

Criminal Original Petition filed under Section 482 Cr.P.C. seeking direction to the respondent police, The Inspector of Police, Thondamuthur Police Station, Coimbatore, Coimbatore District, herein to give necessary police protection to the petitioner and the family members of the petitioner herein.

For Petitioner : Mr.C.D.Johnson

For Respondent : Mr.C.Emalias
Additional Public Prosecutor

O R D E R

The present criminal original petition has been filed to direct the respondent police, The Inspector of Police, Thondamuthur Police Station, Coimbatore, Coimbatore District, to give necessary police protection to the petitioner and his family members.

2. The petitioner's family owns certain agricultural lands in Survey Nos.205/1 and 206/1 and also lands in Survey No.228/1B. The land adjacent to the petitioner's land was owned by one Mr.Pappusamy and T.K.Duraisamy. There was already a civil dispute between the petitioner and the said T.K.Pappusamy's family members and hence the petitioner and his brother filed a suit in O.S.No.1530 of 1995 before the District Munsif Court at Coimbatore. The said suit is decreed in favour of the petitioner. In spite of the decree and judgement, the defendants always tried to trespass into the property of the petitioner. In this regard, several police complaints have been

lodged right from the year 1998. While so, the defendants are frequently trespassing the property of the petitioner and giving troubles to the petitioner. Hence, the petitioner has come forward with the present criminal original petition for police protection.

3. I have heard the learned counsel appearing for the petitioner as well as the learned Additional Public Prosecutor appearing for the respondent.

4. When the matter was taken up for consideration, the learned Additional Public Prosecutor submitted that on receipt of the complaint of the petitioner, C.S.R.No.60 of 2015 has been assigned and a detailed enquiry has been conducted and during enquiry both the parties were advised to act in accordance with the decree and judgement and the complaint has been closed and he also produced the closure report.

5. Now that the complaint of the petitioner has already been closed, I am not inclined to entertain this petition.

6. Accordingly, this Criminal Original Petition is dismissed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To

1. The Inspector of Police,
Thondamuthu Police Station,
Coimbatore, Coimbatore District.

2. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.C.D.Johnson, Advocate Sr.5631

Cr1.O.P.No.1288 of 2016

sai (CO)
srg (09/02/2016)