

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.01.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Cr1.O.P.No.17846 of 2015

N.Raja

... Petitioner

Vs

1. State: rep. By
Superintendent of Police
Kancheepuram District,
Kancheepuram.

2. State: rep. By
Inspector of Police,
Sathurangapattinam Police Station,
Sathurangapattinam,
Kalpakkam Via.,
Kancheepuram District-603 102. ... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. to direct the 2nd respondent to extend police protection to the petitioner and file the final report on the basis of complaint lodged by the petitioner/defacto complainant on 12.05.2015 and CSR vide No.73 of 2015.

For Petitioner : Mr.M.Gouthaman

For Respondents : Mr.C.Emalias,
Additional Public Prosecutor.

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O R D E R

This petition has been filed to direct the 2nd respondent to extend police protection to the petitioner and file the final report on the basis of complaint lodged by the petitioner/defacto complainant on 12.05.2015 and CSR vide No.73 of 2015.

2. The petitioner/ defacto complaint is the husband of one Saranya who is the owner of the property bearing Door No.77,

Vittlapuram Village, Thirukazhukundram Division, Kanchipuram District, measuring about 4360 sq.ft. comprised in Survey No.390/4D, Old Survey No.390/4D in Patta No.190 and have been in possession and enjoyment of the said property since 2009. While so, one Kailasam residing in the adjacent property in the same street threatened the wife of the petitioner not to survey the land and not to lay survey stone. In fact, the defacto complaint had already fixed survey stone with the help of local surveyor. While so, on 12.05.2015, the said Kailasam and his four sons came to the petitioner and threatened him and removed the survey stone. Hence, a complaint was lodged and the same was assigned CSR No.73 of 2015. Again, the said Kailasam and his sons threatened the petitioner and his wife stating that they will not allow them to reside in the property. Hence, the petitioner has come forward with the present petition for police protection.

3. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

4. Considering the submissions made on either side, without going into the merits of the claim made by the petitioner, this Court is constrained to pass the following order.

i) The petitioner is directed to give a representation to the 2nd respondent with regard to police protection.

ii) On receipt of the representation, the 2nd respondent is directed to consider the same with regard to providing police protection, after giving personal hearing to the petitioner as well as necessary parties concerned and pass appropriate order on merits within a period of two weeks from the date of receipt of the representation.

iii) It is made clear that this Court is not passing any order with regard to the merits of the claim made by the petitioner. It is for the 2nd respondent to pass appropriate orders, purely on merits.

5. The criminal original petition is disposed of accordingly.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

vsi

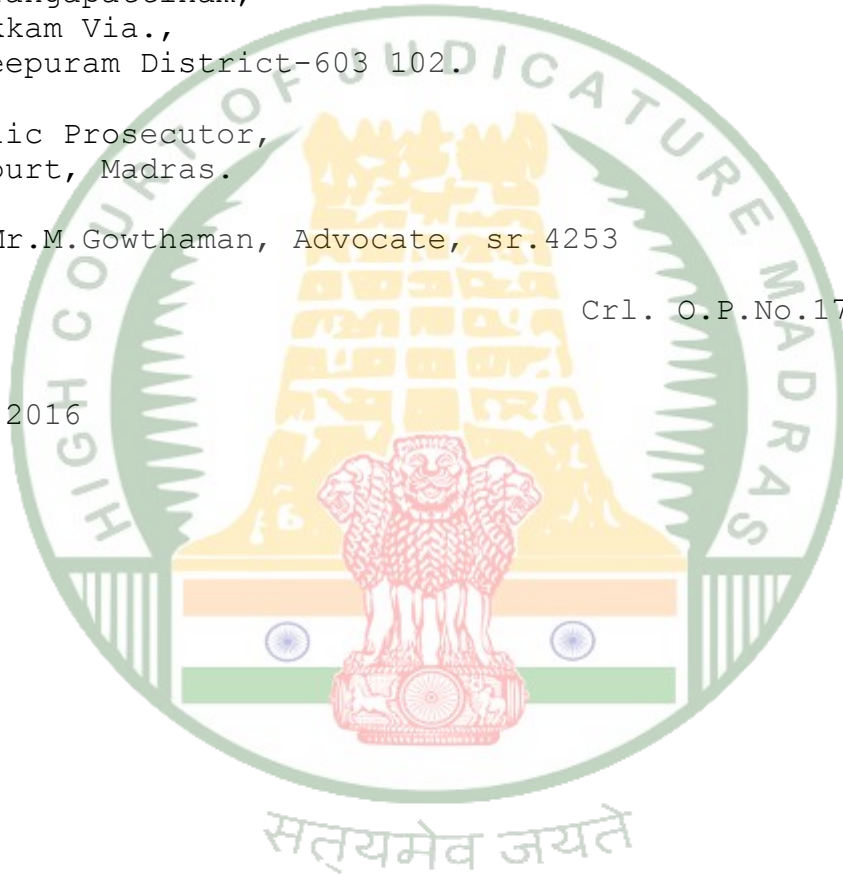
To

1. The Superintendent of Police
Kancheepuram District,
Kancheepuram.
2. The Inspector of Police,
Sathurangapattinam Police Station,
Sathurangapattinam,
Kalpakkam Via.,
Kancheepuram District-603 102.
3. The Public Prosecutor,
High Court, Madras.

+1 cc to Mr.M.Gowthaman, Advocate, sr.4253

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kk co
kra 05.02.2016



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