

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.11.2017

CORAM

THE HONOURABLE MR. JUSTICE M.S.RAMESH

Crl.O.P.No.1769 of 2016

G.Subramani

... Petitioner

Vs .

The Inspector of Police,
Kavindapadi Police Station,
Kavindapadi- 638 455,
Erode District.

... Respondent

Prayer:Criminal Original Petition filed under Section 482 Cr.P.C. to direct the respondent police to give adequate police protection to the petitioner so as to erect wire fencing on the either side of his exclusive east-west cart track comprised in R.S.No.538/2, Natham S.No.1363/5, Kanvindapadi Village, Bhavani Taluk, Erode District by taking action on his complaint dated 05.01.2016 in the light of the decision reported in 2014 (2) CTC 695.

For Petitioner : Mr.N.Manokaran

For Respondent : Mr.C.Iyyapparaj

Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking a direction to the respondent police to give police protection to the petitioner so as to erect wire fencing on the either side of his exclusive east-west cart tract comprised in R.S.No.538/2, Natham S.No.1363/5, Kanvindapadi Village, Bhavani Taluk, Erode District by taking action on his complaint dated 05.01.2016 in the light of the decision reported in 2014 (2) CTC 695.

2.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing on behalf of the respondent.

3. It is submitted by the learned counsel for the petitioner that the petitioner had the benefit of the Civil Court order directing his possession over the property.

4.The interim prayer sought for in the present petition is for a direction to grant police protection to the petitioner to erect wire fencing on the cart track, which is, obstructed by N.Nataraj and P.Arumugam.

5. The decision as to whether police protection is to be granted or not is within the domain of the police after considering the ground reality. Hence, the petitioner is granted liberty to approach the respondent police seeking for protection and on receipt of such representation, the respondent shall give due opportunity to N.Nataraj and P.Arumugam and any other persons, who may be interested in the subject property and pass appropriate orders in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.

With the above direction, this Criminal Original Petition stands disposed of.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1.The Inspector of Police,
Kavindapadi Police Station,
Kavindapadi- 638 455,
Erode District.

2.The Public Prosecutor,
High Court, Madras.

+lcc to Mr.N.Manoharan, Advocate SR.No.81591

Crl.O.P.No.1769 of 2016

sm:29.11.2017

सत्यमेव जयते

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