

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED:11.08.2017****CORAM:**

WEB COPY

THE HONOURABLE MR.JUSTICE S.S.SUNDAR**CRL.O.P. (MD) No.10635 of 2017**

Subramani

... Petitioner

-Vs-

State rep by,

1.The Superintendent of Police,
Theni District, Theni.2.The Inspector of Police,
Kurankani Police Station,
Theni District.3.Ramaraj
4.Muthaiah
5.Balamurugan
6.Raja
7.Senthil
8.Kasinathan
9.Ganesan
10.Manoharan
11.Murugan, S/o. Ponnusamy
12.Kannan
13.Rengaraj
14.Suresh
15.Mani
16.S.V.Sekar
17.Murugan, S/o. Ponnupillai

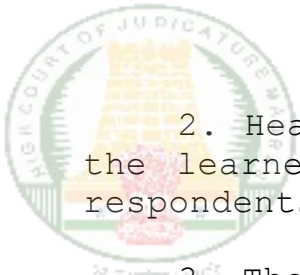
... Respondents

PRAYER: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to direct the respondents to give police protection for life and limb of the petitioner, family members and his property.

For Petitioner : Mr.R.Manoharan
For R-1 & R-2 : Mr.K.Anbarasan,
Government Advocate(Crl.Side).

O R D E R

This Criminal Original petition is filed seeking a direction to the respondents to give police protection for life and limb of the petitioner, family members and his property.



2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate(Criminal side) appearing for the respondents 1 and 2.

3. The petitioner in his representation stated that he already lodged a complaint as against some individuals with regard to the criminal trespass and other offences allegedly committed by certain individuals, namely, respondents 3 to 17. It is further stated that with an intention to encroach the private pathway which was formed by the petitioner leading to his property from the main road, the incident took place and that the petitioner was under constant threat.

4. From the reading of the criminal complaint as well as the representation, it is clearly found that there is some dispute between the petitioner and the private respondents in this case, with regard to the enjoyment of the pathway, which was allegedly formed by the petitioner in this case.

5. Since the intention of the petitioner is to get an order so as to prevent others from interfering with his right, this Court is not inclined to issue any direction to the police, as the dispute is purely civil in nature. Hence, the Criminal Original petition is dismissed. The petitioner is at liberty to approach the civil Court for appropriate relief. In case, he gets any interim order in the nature of injunction, the petitioner also can move the civil Court for getting police protection. No costs.

Sd/-

Assistant Registrar(crl side)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Theni District, Theni.
2. The Inspector of Police,
Kurankani Police Station,
Theni District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1cc to Mr. R.Manoharan, Advocate Sr.No.72529

PMU

VB/KK/SAR4/04/09/2017/2P/5C

<https://hcservices.ecourts.gov.in/hcservices/>

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