

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.02.2018

CORAM

THE HONOURABLE MR. JUSTICE M.S.RAMESH

Crl.O.P.No. 22858 of 2017

Annadurai

..Petitioner

Vs

State Rep. by

1. The Superintendent of Police,
Office of the District Superintendent,
Tirupur.

2. Inspector of Police,
Moolanoor Police Station,
Tirupur District.

3. Nachi

4. Palani

5. Pethan

..Respondent

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C. to direct the respondent police 1 to 2 to provide police protection to erect fence in his land based on the representation given to the respondent police dated 11.09.2017.

For Petitioner : Mr.C.V.Kumar

For R1 & R2 : Mrs.P.Kritika kamal
Government Advocate (Crl.Side).

For R3 to R5 : No representation

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O R D E R

This petition has been filed by the petitioner seeking a direction to the respondents 1 to 2 to provide police protection to erect fence in his land based on his representation dated 11.09.2017.

2. Heard the learned counsel for the petitioner as well as the learned Government Advocate (Crl. Side) for the respondents 1 and 2. There is no representation for the respondents 3 to 5 herein.

3. In connection with the property in Survey No.207/A1A2 in Peramium Village, Moolanur Union, Dharapuram Taluk, an order of injunction has been granted in favour of the petitioner herein on 11.08.2017 in I.A.No.811 of 2017 in O.S.No.283 of 2017 by the learned District Munsif, Dharapuram against the respondents 3 to 5 herein.

4. It is submitted by the learned counsel for the petitioner that the said injunction restraining the respondents 3 to 5 herein from interfering with the petitioner's peaceful possession and enjoyment of the subject property is still in force. Since the respondents 3 to 5 herein had created obstructions, preventing the petitioner from putting up the fence in the subject property, the petitioner had sought for a direction before this Court for police protection.

5. In view of the order of injunction granted in favour of the petitioner by the Court below, it would be appropriate for the second respondent police to extend necessary protection to facilitate the petitioner herein for fencing the subject property. Hence, the Criminal Original Petition is allowed.

6. The petitioner is granted liberty to approach the second respondent seeking for necessary protection through a representation and on receipt of the said representation, the second respondent shall consider the same in the light of the order of interim injunction granted on 11.08.2017 and also in the light of the observations made in this order and pass appropriate orders within two days from the date of receipt such a representation.

Sd/-
Assistant Registrar(CS IX)

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Sub Assistant Registrar

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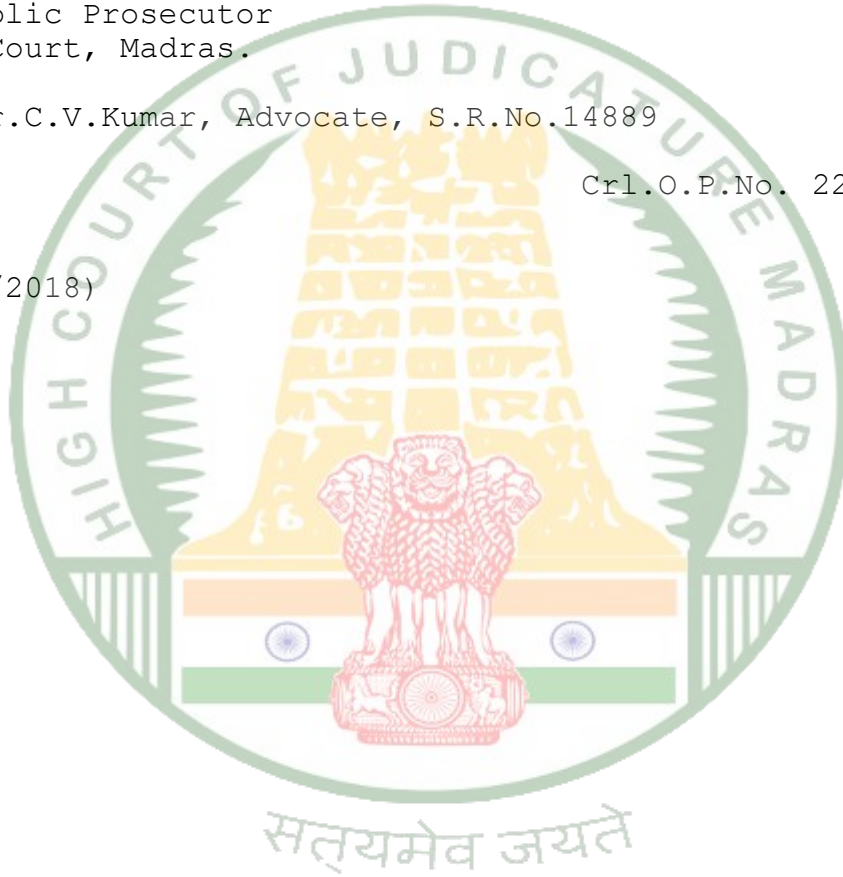
To

1. The Superintendent of Police,
Office of the District Superintendent,
Tirupur.
2. The Inspector of Police,
Moolanoor Police Station,
Tirupur District.
3. The Public Prosecutor
High Court, Madras.

+1cc to Mr.C.V.Kumar, Advocate, S.R.No.14889

CrI.O.P.No. 22858 of 2017

PA(CO)
RRK(20/03/2018)



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