

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.04.2018

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.O.P.Nos. 26760/2017 and 971/2018

- V. Balamurugan Petitioner in
Crl.O.P.26760/2017
- V. Savithri Petitioner in
Crl.O.P.971/2018
- Vs.
1. The Inspector of Police
Annathanapatti Police Station
Salem.
2. M. Subramani
3. Lakshmi
4. V. Gunalan
5. V. Rajini Respondents in
Crl.O.P.26760/2017
1. The Inspector of Police
Annathanapatti Police Station
Salem.
2. The Commissioner of Police
Salem City
Salem.
3. A. Rajamanickam
4. M. Gunasekaran
5. R. Gayathri Respondents in
Crl.O.P.971/2018

Prayer in Crl.O.P.26760/2017:- Criminal Original Petitions filed under Section 482 of the Code of Criminal Procedure praying to direct the 1st respondent herein to provide police protection by considering the representation of the petitioner herein dated 14.11.2017 and pass such further orders.

Prayer in Crl.O.P.971/2018:- Criminal Original Petitions filed under Section 482 of the Code of Criminal Procedure praying to direct the 1st respondent viz., The Inspector of Police, Annathanapatti Police Station, Salem to give police protection to the petitioner herein and her property as she apprehends danger to her life at the hands of the said M. Gunasekaran and his henchmen and pass such further orders.

For Petitioner
in Crl.O.P. 26760/2017 : Mr. R. Nalliyappan

For Petitioner
in Crl.O.P. 971/2018 : Mr. T. Vijayaraghavan

For Respondents : Mr. C. Raghavan
Govt. Advocate (Crl. Side)
for R1 and R2 in both
Mrs. V. Srimathi For R4
in Crl O.P.No.971 of 2018 only

C O M M O N O R D E R

The relief sought for in these petitions is to direct the 1st respondent herein to provide police protection to the petitioners and the property of the petitioner in Crl. O.P. No. 971/2018 as she apprehends danger to her life at the hands of the said M. Gunasekaran and his henchmen.

2. It is the case of Balamurugan that he is the owner of the property in SF No.243 New SF No.14/3 and 14/4 at Pallapatti Village to an extent of 13625 sq.ft. and that his possession is being threatened by one Subramani and others. Therefore, Balamurugan gave a representation dated 14.11.2017 and has filed the present application for police protection. One Savithri claiming to be the owner of the same property has given a representation dated 30.12.2017 to the police and has filed Crl.O.P. No.26760/2017 seeking police protection.

3. In the opinion of this Court, in the petition fled under Section 482 CrPC, this Court cannot decide the title of the property nor this Court can decide as to who is the owner of the property.

Hence, this Court cannot accede to the prayer of both the petitioners. However, the respondent Police is directed to ensure that there is no law and order problem and if there is commission of any cognizable offence, the same shall be dealt with, in accordance with law.

4. With the above directions, both the petitions are closed.

Sd/-
Assistant Registrar(CS IV)

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Sub Assistant Registrar

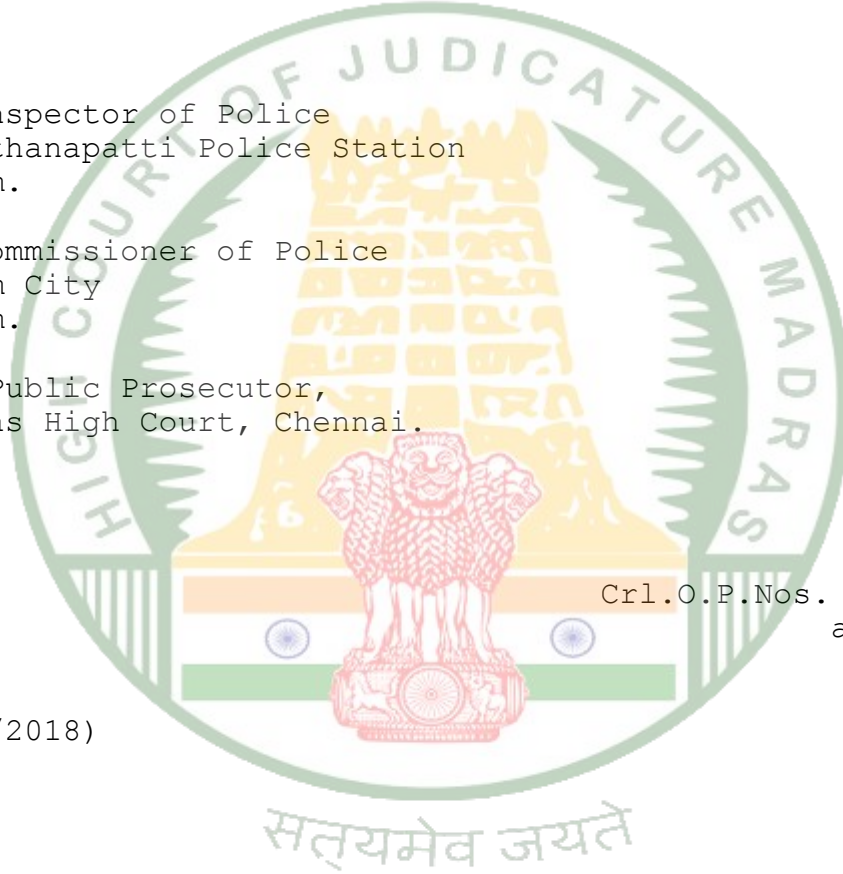
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To

1. The Inspector of Police
Annathanapatti Police Station
Salem.
2. The Commissioner of Police
Salem City
Salem.
3. The Public Prosecutor,
Madras High Court, Chennai.

Crl.O.P.Nos. 26760/2017
and 971/2018

kan (CO)
srg (17/05/2018)



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