

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :14.08.2018

CORAM

THE HONOURABLE MRS.JUSTICE P.N.PRAKASH

CRL.O.P.No.12691 of 2018

M.Vasudevan

...Petitioner

Vs

1. State by
The Superintendent of Police,
Krishnagiri,
Krishnagiri District.
2. The Inspector of Police,
Pochampalli Police Station,
Krishnagiri District.
3. Ragu @ Asokan
- 4.ThamilanElavarasuRespondents

Prayer: Criminal Original Petition has been filed under Section 482 Criminal Procedure Code, to direct the respondents 1 and 2 to give police protection to the Petitioner.

For Petitioner : Mr.K.Thiruvengadam

For R1 and R2 : Mr.C.Raghavan
Government Advocate (Crl.Side)

For R3 : Mr.V.Nicholas

ORDER

This petition has been filed to direct the respondents 1 and 2 to give police protection to the petitioner.

2. It is the case of the petitioner that he is the owner of the land measuring 87 cents in S.No.659/3 of Jambukuttapatti Village, Pochampalli Taluk, Krishnagiri

District and that respondents 3 and 4 are preventing the petitioner from constructing a house in the said land. In paragraph 3 of the petition, the petitioner has stated that the original land owner Viswanathan filed O.S.No.5 of 2000 in the District Munsif Court, Krishnagiri against Palaniyappa Nadar, father of the third respondent and had obtained a decree. However, the record produced by respondents 3 and 4 shows that O.S.No.5 of 2000 has not been filed by the said Viswanathan and the said Suit has nothing to do with the disputed land. Thus, when there are disputed questions of fact, this Court cannot issue a direction under Section 482 Cr.P.C. for police protection. It is for the petitioner to work out his remedies before the civil Court in accordance with law.

Accordingly, this petition is closed with liberty to the petitioner to work out his remedies in the manner known to law.

Sd/-

Assistant Registrar(CS ix)

//True Copy//

Sub Assistant Registrar

To

1.The Superintendent of Police,
Krishnagiri,
Krishnagiri District.

2.The Inspector of Police,
Pochampalli Police Station,
krishnagiri District.

3.The Public Prosecutor
High Court, Madras.

+1 cc to Mr.V.Nicholas Advocate SR.NO. 56594

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SAI (CO)

ASK(04/09/2018)