



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.09.2018

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THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH
CRL.O.P.(MD)No.15817 of 2018

G.Murugesan

... Petitioner

Vs

1.The Inspector of Police,
Pappanadu Police Station,
Orathanadu Taluk,
Thanjavur District.

2.Dhanapal

3.Tamilselvam

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying, to direct the first respondent to provide adequate police protection to the petitioner for cultivating in his agricultural land situated in Survey No.636/1A to an extent of 1.33 Hectares in Aambalapattu Village, Orathanadu Taluk, Thanjavur District based on the complaint dated 18.08.2018 submitted by the petitioner.

For Petitioner : Mr.G.Thalaimutharasu

For Respondents : Mr.K.Suyambulinga Bharathi
Government Advocate (crl.side)

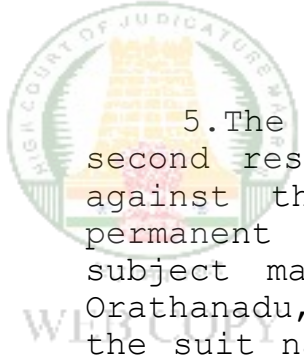
O R D E R

This petition has been filed for a direction to the respondent police to provide police protection.

2.It is seen from the records that a similar petition was filed before this Court. On an earlier occasion, this Court by order dated 12.02.2018, directed the petitioner to make a fresh representation to the respondent police and on such representation being made, the respondent police was directed to consider the same and take appropriate action.

3.Accordingly, the petitioner has made a representation to the respondent police seeking for police protection.

4.The learned Government Advocate (Crl.side) would submit that after the representation was received from the petitioner, the respondent police conducted an enquiry and based on the enquiry, the petition given by the petitioner, was closed on 17.07.2018.



5.The learned counsel for the petitioner would submit that second respondent had already filed a suit in O.S.No.73 of 2010 against the petitioner's wife and one Swaminathan seeking for permanent injunction for the very same property, which is the subject matter of this petition. The District Munsif Court, Orathanadu, has categorically given a finding that the plaintiff in the suit namely, the second respondent is not in possession of the property. Ultimately, the suit came to be dismissed by a judgment and decree dated 31.08.2017. According to the learned counsel for the petitioner, this judgment has become final. Having lost before the Civil Court, the private respondents cannot continue to cause threat to the petitioner and his family and interfere with the suit property.

7.Taking into consideration the facts and circumstances of the case, the first respondent police is directed to provide police protection to the petitioner and his family. Incase, the private respondents causes any law and order problem, the respondent police is at liberty to proceed against them in accordance with law.

8.Accordingly, this criminal original petition is disposed of with the above direction.

Sd/-
Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar(CS-II)

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To

1.The Inspector of Police,
Pappanadu Police Station,
Orathanadu Taluk,
Thanjavur District..

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.G.Thalaimutharasu, Advocate in SR No.82458

CRL.O.P. (MD) No.15817 of 2018