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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.09.2018

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.(MD)No.16714 of 2018

G.Sivakumar ... Petitioner

Vs.

1. State rep. by
   The Superintendent of Police,
   Tuticorin,
   Tuticorin District.

2. State rep. by
   The Deputy Superintendent of Police,
   Ottapidaram Circle,
   Tuticorin District.

3. State rep. by
   The Inspector of Police,
   Ottapidaram Police Station,
   Tuticorin District.

4.Kombu Maharaja
5.Palani
6.Jeyasankar ...Respondents

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C. to direct the respondents 1 to 3 to give necessary police protection to the life and limb of the petitioner and his properties based on the petitioner's complaint dated 14.08.2018.

For Petitioner : Mr.S.A.Ajmalkhan
For R1 to R3 : Ms.K.Suyambulinga Bharathi,
G.A.(Crl.side)

ORDER

This petition has been filed seeking for police protection.

2.It is the case of the petitioner that he is the owner of the property, wherein he has developed a layout and plotted the same and sold to several third parties. On 05.05.2018, the fourth respondent along with two others trespassed into the housing site and made attempt to lay electric poles belonging to a particular Wind Mill Company. When the same was complained before the

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police, an agreement dated 13.04.2018 was produced, wherein the signature of the petitioner has been forged and it has been projected as if the petitioner has permitted the laying of the electric poles. Immediately thereafter, a complaint was lodged before the third respondent police and the third respondent police have registered the First Information Report in Crime No.104 of 2018 against the fourth respondent for offences under Sections 468, 420, 294(b) and 506(ii) IPC and Section 3 of TNPPDL Act, 1992. The case is pending investigation.

3.The learned counsel for the petitioner would submit that when this complaint is pending, the fourth respondent along with respondents 5 and 6 is threatening the petitioner on regular basis and not allowing the petitioner to deal with his property, which is already been plotted. In this regard, a complaint was also given by the petitioner to the respondent police on 14.08.2018 to provide police protection.

4.The learned Government Advocate would submit that it is true that the First Information Report has been registered against the fourth respondent and the same is pending investigation by the third respondent. The learned Government Advocate would further submit that the complaint given by the petitioner will also be considered and appropriate action will be taken in this regard.

5.There shall be a direction to the third respondent to take into consideration the complaint given by the petitioner dated 14.08.2018, in the course of investigation and call the parties and give appropriate instructions. If the threat continues, the third respondent shall take appropriate action against the persons, who are indulged in causing threat and if necessary, shall also provide police protection to the petitioner.

6.This Criminal Original Petition is disposed of with the above direction.

Sd/-
Assistant Registrar(Cs-III)

/True Copy/

Sub Assistant Registrar(CS-I)

To

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

2. The Deputy Superintendent of Police,
   Ettayapuram Circle,
   Tuticorin District.

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3. The Inspector of Police,
   Ottapidaram Police Station,
   Tuticorin District.

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

+1cc to Mr.S.A.Ajmalkhan, Advocate Sr.No.85548

RMK

VB/SKN/SAR1/25.09.2018/3P/6C

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