



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.10.2018

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Cr1.O.P.(MD)No.18091 of 2018

G.Janarthanan

... Petitioner

Vs.

1. The Inspector General of Police,
South Zone,
Madurai.
2. The Superintendent of Police,
Dindigul District,
Dindigul
- 3.The Deputy Superintendent of Police,
Palani,
Dindigul District
4. The Inspector of Police,
Palani Taluk Police Station,
Palani, Dindigul District
- 5.M.Krishnan
6. S.Krishnan
7. S.Krishnan
- 8.A.Dhandapani
9. D.Ravichandran
10. M.Ganesan
11. Akkammal
12. K.Palanichamy



13. Thannasi

14. Subramani

15. Kaliammal

... Respondents

WEB COPY

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C. to direct the respondents 1 to 4 to provide police protection to the petitioner's life and personal liberty and for the peaceful possession and enjoyment of the properties and for doing agricultural operation in Survey Nos.254/1A1 to 254/A15, 254/1B11, 254/1B12, 254/1C1 to 254/1C17 and Survey Nos.254/5, 254/6, 254/7 situate at Andipatti Village, Palani Taluk, Dindigul District in view of the order passed in I.A.No.260 of 2013 in O.S.No.124 of 2013 by the Honourable Principal District Court, Dindigul.

For Petitioner	: Mr.D.Shanmugaraja Sethupathi
For Respondent	: Mr.K.Suyambulinga Bharathi
No.1 to 4	Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed seeking for police protection.

2.It is seen from records that originally the same petitioner had filed Crl.O.P(MD) No.15613 of 2014 seeking for police protection and this Court by an order dated 20.10.2014 was pleased to direct the police to give police protection. Subsequently a petition was filed by the other parties to recall the order and this Court by an order dated 20.11.2014 rejected the said prayer. Subsequently another petition was filed before this Court by other parties to recall the earlier order and this court by an order dated 23.06.2015 directed the civil court in which the proceedings were pending to dispose of the interlocutory application filed for injunction within a period of six weeks and till then police protection was directed to be continued. Thereafter time was extended for the court below to dispose of the application and interim protection granted to the petitioner was also extended, by an order dated 23.11.2015.

3. The learned counsel for the petitioner brought to the notice of this Court the final orders that were passed by the court below in I.A.No.260 of 2013 in O.S.No.124 of 2013 dated 01.02.2016 wherein the petitioner was allowed and the court below had directed the other side to restore status quo anti. According to the learned counsel for the petitioner this order has become final. The other side without obeying this order has continued to cause threat to



the petitioner. Thereafter the petitioner continued to give complaint to the respondent police seeking for taking action against other side and also seeking for police protection. The respondent police based on the complaint given by the petitioner, have registered First Information Report in crime No.232 of 2018 for alleged offences under sections 294(b), 452, 379 and 506(ii) of IPC. In the said final report, names of 15 persons are shown as accused persons. The learned counsel would submit that inspite of the registration of the First Information Report, the accused persons continues to cause threat to the petitioner and no amount of order passed by this Court or by the competent civil court is having any effect, since the accused persons continues to disobey the orders and caused life threat to the petitioner and destruction to the property. The learned counsel would further submit that the petitioner is left with no other option. Hence he has filed the present criminal original petition seeking for police protection.

4. The learned Government Advocate(Crl.Side) would submit that the respondent police have not received any representation from the petitioner seeking for police protection, after the First Information Report was registered against the accused persons.

5. The learned counsel for the petitioner brought to the notice of this Court the complaint dated 03.07.2017 given to the respondent police seeking for police protection. However, no complaint has been given thereafter.

6. In view of the above, the petitioner is directed to give fresh complaint to the respondent police by enclosing all the earlier orders passed in this regard and the respondent police on receipt of representation shall take immediate action in accordance with law. This is more so since already First Information Report is registered by the respondent police in Crime No.232 of 2018 against some accused persons and inspite of the same, the accused persons continues to cause threat to the petitioner and his property, the respondent police cannot remain to be mute spectators and they are duty bound to take action in accordance with law.

7. The Criminal Original Petition is disposed of with the above direction.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar(CS-I)



To

1. The Inspector General of Police
South Zone,
Madurai.
2. The Superintendent of Police,
Dindigul District,
Dindigul
3. The Deputy Superintendent of Police,
Palani,
Dindigul District.
4. The Inspector of Police,
Palani Taluk Police Station,
Palani, Dindigul District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC To MR.D.SHANMUGARAJA SETHUPATHI, Advocate SR. NO. 89506

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