

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 22.08.2019
CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.Nos.27433 & 27434 of 2013 and
CRL.M.P.No.1 of 2014

P.K.Ganesan

... Petitioner in both Crl.O.Ps

Versus

1.The Superintendent of Police,
Office of the Superintendent of Police,
Nethimedu,
Salem - 636 002.

2.The Deputy Superintendent of Police,
D.I.G Office,
Salem.

3.The Inspector of Police,
Valapadi Police Station,
Valapadi,
Salem District.

... Respondents in both Crl.O.Ps

PRAYER in Crl.O.P.No.27433 of 2013 : Criminal Original Petitions filed under Section 482 of the Code of Criminal Procedure, to direct the 3rd respondent Police to register complaint based on the complaint dated 10.09.2012 in C.S.R.No.362 of 2012 dated 10.09.2012 on the file of 3rd respondent police.

PRAYER in Crl.O.P.No.27434 of 2013: Criminal Original Petitions filed under Section 482 of the Code of Criminal Procedure, to direct the respondents police to grant police aid to protect the property of the petitioner.

In both Crl.O.Ps

For Petitioner : M/s.M.Vivekanandan

For Respondents: M/s.S.Thankira
Government Advocate [Crl. Side]

COMMON ORDER

Crl.O.P.No.27433 of 2013 has been filed to register the complaint of the petitioner dated 10.09.2012 in C.S.R.No.362 of

2012, on the file of the 3rd respondent. Crl.O.P.No.27434 of 2013 has been filed seeking for police protection to the property of the petitioner.

2.The learned counsel for the petitioner would submit that the petitioner has got some disputes with one Ravi and twenty others with regard to construction of wall and enjoyment of the property. Due to which, the petitioner lodged a complaint dated 10.09.2012 to the 3rd respondent. On receipt of the complaint, the 3rd respondent issued C.S.R.No.362 of 2012 dated 10.09.2012. Since, no action was taken by the 3rd respondent, the petitioner filed Crl.O.P.No.27433 of 2013 to register his complaint dated 10.09.2012 and also filed Crl.O.P.No.27434 of 2013 seeking police protection for his property.

3.The learned counsel for the petitioner would further submit that now the petitioner has obtained decree in O.S.No.498 of 2008 from the competent civil Court in his favour and also obtained police protection from the concerned civil Court.

4.The learned Government Advocate [Crl. Side] appearing on behalf of the respondents would submit that there is no circumstances and situation for the police to act on the ground of Police protection and C.S.R.No.362 of 2012 dated 10.09.2012 has also been closed.

5.It is seen that the petitioner has already obtained a decree in his favour in O.S.No.498 of 2008 as against the said Ravi and others. According to the learned counsel for the petitioner, this decree passed on 01.08.2008 has become final.

6.These Criminal Original Petitions stands dismissed, with liberty to the petitioner to approach the 3rd respondent, if there is any interfere with his possession of the property. Consequently, the connected miscellaneous petition is closed.

सत्यमेव जयते

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

vv2

To

1.The Superintendent of Police,
Office of the Superintendent of Police,
Nethimedu,
Salem - 636 002.

2.The Deputy Superintendent of Police,
D.I.G Office,
Salem.

3.The Inspector of Police,
Valapadi Police Station,
Valapadi,
Salem District.

4.The Public Prosecutor,
High Court, Madras.

+2cc to M/s.M.Vivekanandan, Advocate sr.73093, 73094

CRL.O.P.No.27433 & 27434 of 2013

br(co)
nr 03/10/2019



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