

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.03.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.6407 of 2019

M.Malliga

.. Petitioner

Vs.

1.The Superintendent of Police,
Cuddalore District.

2.The District Deputy Superintendent of Police,
Sethiyarthoppu,
Cuddalore District.

.. Respondents

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C. to direct the respondents 1 to 2 give provide police protection and her family members especially from the accused persons and his family members and their relatives.Unless, granting police protection to the Petitioner will be cause prejudice and hardship to petitioner's.

For Petitioner : Mr.A.Murthy

For Respondents : Mr.M.Mohamed Riyaz
Addl. Public Prosecutor

O R D E R

This petition has been filed seeking for police protection.

2. The learned counsel for the petitioners would submit that the petitioner bought 0.22 cent of land from one M.Arasan in R.S.No.59, by way of Oral sale deed during the year 2001 for a total sale consideration of Rs.20,900/-. The sale consideration was paid and the receipts were also given to the petitioner and the petitioner is possession and enjoyment of the said land and was cultivating crops and trees. Whiles, after 17 years the said M.Arasan and his family members suddenly trespassed into the property and trying to take possession of the land. Hence, the petitioner lodged a complaint before the Chozhathairam Police Station on 29.11.2018 and CSR No.273 of 2018 was given and the police officials also enquired about the same. Even then, the accused persons behaved rudely with petitioner.

Apprehending life threat, the petitioner has also lodged a complaint before the respondents 1 to 3 on 14.02.2019 seeking police protection. Since, no action have been taken, the present petition has been filed.

3. The learned Additional Public Prosecutor would submit that the respondent police cannot give police protection in a case of this nature, since, it is a land dispute between the petitioner and one Arasan.

4. Heard Mr.A.Murthy learned Counsel for the petitioner and Mr.M.Mohammed Riyaz, learned Additional Public Prosecutor for the respondents police.

5. Considering the facts and circumstances of the case, this Court without going into the merits of the case, the Inspector of Police, Chozhathairam, is directed to conduct an enquiry with the counter part and pass orders on merits and in accordance with law within a period of two weeks from the date of receipt of copy of this order.

6. Accordingly, this Criminal Original Petition is disposed of.

Sd/-
Assistant Registrar(J)

//True Copy//

rri/rm

Sub Assistant Registrar

To

- 1.The Superintendent of Police,
Cuddalore District.
- 2.The Inspector of Police,
Chozhathairam,
Cuddalore District.
- 3.The District Deputy Superintendent of Police,
Sethiyarthoppu,
Cuddalore District.
- 4.The Public Prosecutor,
High Court, Madras.

+1 cc to Mr.M.Murthy, Advocate, S.R.No.22308

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SSM(05/04/2019)