

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 18.03.2019

CORAM

THE HONOURABLE Mr.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No. 7101 of 2019

Prakash Choudary

.. Petitioner

Vs

State rep. by

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

2. The Inspector of Police,
Taluk Police Station,
Krishnagiri District.

.. Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the 1st respondent to instruct the 2nd respondent to give police protection based on the complaint dated 26.02.2019.

For Petitioner : Mr.A.P.Sathya Murthy

For Respondents : Mr.C.Raghavan
Government Advocate (Criminal Side)

O R D E R

This Criminal Original Petition has been filed to direct the 1st respondent to instruct the 2nd respondent to give police protection based on the complaint dated 26.02.2019.

2. The learned counsel for the petitioner submitted that the petitioner purchased the property at Krishnagiri District and Taluk, Peddhathalapalli village, comprised in Survey No.218/6 and 218/5 totally measuring an extent of 0.38 cents from one M.Ravishankar by way of registered sale deeds bearing document No.2064/2017 and 3614/2106 dated 21.06.2016 and 10.11.2016 and the same was registered on the file of the Assistant Sub-Registrar No.II Krishnagiri. When the petitioner started to put up compound wall one Chinna Venkatti, W/o. Govindan and Murugan S/o.Govindan objected for the same and prevented the petitioner from putting up any construction over the properties in his occupation.

3. The learned counsel for the petitioner further submitted that the Chinna Venkatti, W/o. Govindan and Murugan S/o.Govindan are continuously interfering the possession and enjoyment of the petitioner's property and they are causing threat to the petitioner and therefore, the petitioner gave a complaint to the 2nd respondent police seeking for police protection. Since the same was not considered, this petition has been filed seeking for appropriate direction.

4. The learned Government Advocate (Criminal Side) would submit that the respondent police cannot give police protection in a case of this nature, since, it is a land dispute and purely civil in nature.

5. Heard the learned Counsel for the petitioner and the learned Government Advocate (Criminal Side) for the respondents.

6. Considering the facts and circumstance of the case, the 2nd respondent is directed to consider the petitioner's complaint dated 26.02.2019 and conduct enquiry and pass orders on merits in accordance with law within a period of two weeks from the date of receipt of a copy of this order.

7. With the above direction, this Criminal Original Petition disposed of.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

ssr/vv2

To

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

2. The Inspector of Police,
Taluk Police Station,
Krishnagiri District.

3. The Public Prosecutor,
High Court, Madras.

Cr1.O.P.No. 7101 of 2019

SAI (CO)

RRS (23/04/2019)