

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.06.2019

CORAM

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL.O.P.No.15909 of 2019

M.Kamalam

...Petitioner

Vs.

1. The Superintendent of Police,
Erode District,
Erode-638 001.

2. The Inspector of Police,
Chithode Police Station,
Erode District-638 102.

3. V.Raveendran

...Respondents

PRAYER: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, praying to issue a direction to the 2nd respondent to provide necessary police protection to the petitioner to put up barbed wire fence in her land situated at R.S.No.11/3, (Old Survey No.19), Chithode Village, Erode District at her own cost in accordance with law.

For Petitioner : Mr.Pratap, C.E.

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

ORDER

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

2. It is seen from the records that the vendor of this petitioner has already filed a suit in O.S.No.653 of 2015 against the third respondent and three others, seeking for the relief of permanent injunction.

3. The suit after contest, was decreed by judgment and decree dated 05.03.2018 by the Court of Principal District Munsif, Erode. The petitioner thereafter had purchased the

property from the vendor on 11.02.2019. Subsequent to the purchase of the property, the third respondent and others, are causing threat to the petitioner and are attempting to interfere with the possession of the petitioner.

4. The petitioner had given a complaint before the respondent Police on 10.06.2019 and since no action has been taken till today, the present petition has been filed for police protection.

5. The learned counsel for the petitioner submitted that the judgment and decree of the Civil Court has become final and till today, no appeal has been filed.

6. Heard the learned Additional Public Prosecutor appearing on behalf of respondents 1 and 2.

7. Taking into consideration the facts and circumstances of the case, there shall be a direction to the second respondent to enquire into the complaint made by the petitioner dated 10.06.2019 and call the parties for enquiry. The second respondent shall instruct the counter party to workout their remedy in accordance with law and not to cause threat to the petitioner or interfere with the property. If in spite of the advice, the counter party exerts threat, action shall be taken in accordance with law.

8. This Criminal Original Petition is disposed of with the above directions.

Sd/-

Assistant Registrar

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Sub Assistant Registrar

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To

1. The Superintendent of Police,
Erode District,
Erode-638 001.

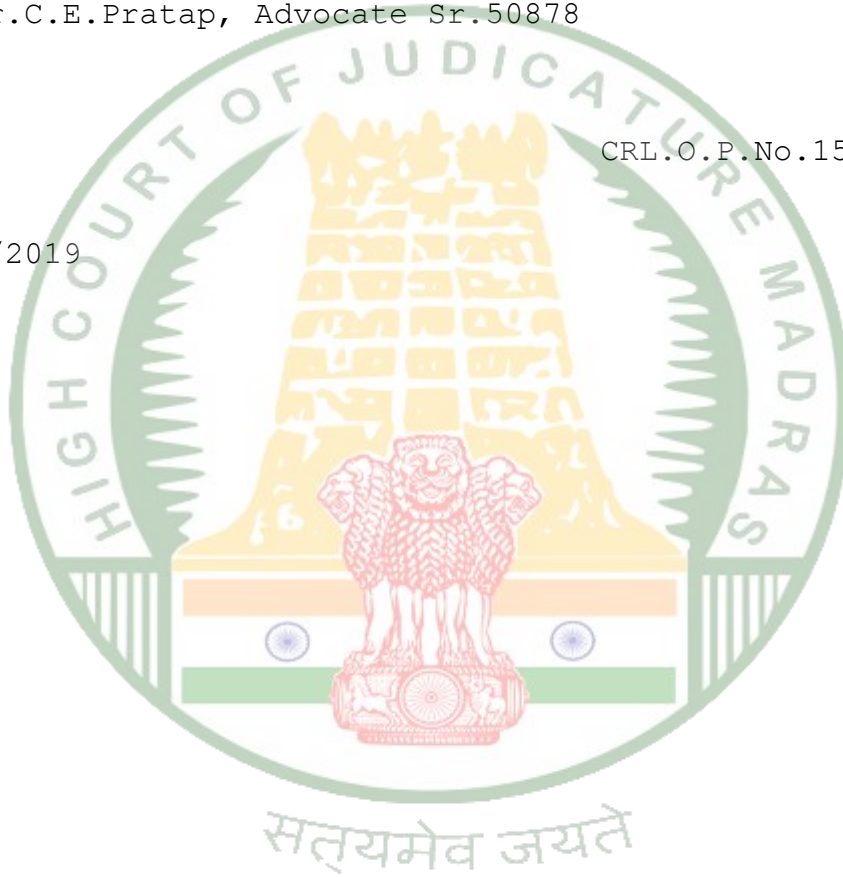
2. The Inspector of Police,
Chithode Police Station,
Erode District-638 102.

3. The Public Prosecutor,
Madras High Court
Chennai.

+1cc to Mr.C.E.Pratap, Advocate Sr.50878

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srg 25/07/2019



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