



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.03.2019

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE N. SESHASAYEE

Crl.O.P. [MD] No. 4275 of 2019

Poochammal

: Petitioner

Vs.

1.State represented by

The Inspector General of Police,
Central Zone, Trichy.

2.State represented by

The Superintendent of Police,
Trichy District, Trichy.

3.State represented by

The Deputy Superintendent of Police,
Manapparai, Trichy District.

4.State represented by

The Inspector of Police,
Puthanatham Police Station,
Trichy District.

5.Palanichamy

6.Kulanthaivel

7.Kumarasankar

: Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the respondents No.1 to 4 to give necessary police protection to the life and limb of the petitioner and her family members and the properties comprised in Survey No.146/6, 151/6, 151/16, 152/5, 156/5, 156/10, 158/7, 153/2J, 153/21 situated at Kannivadugapatti Village, Manapparai Taluk, Trichy District and also the properties comprised in Survey Nos.979/2K, 979/2B, 979/2W, 982/2I, 982/3D, 983/3C, 983/9C, 984/3, 985/5C, 986/6C, 985/5D, 982/2D situated at Pannapatti East Part Village (Keel Pagam), Manapparai Taluk, Trichy District on the basis of the petitioner's representation dated 17.03.2019.

For Petitioner : Mr.A.Joel Paul Antony

For R-1 to R-4 : Mr.V.Neelakandan

Additional Public Prosecutor

ORDER

The present petitioner seeks protection to her life, limb,



liberty and right to property at the hands of the respondents 5 to 7.

2. The learned counsel appearing for the petitioner submitted that the petitioner had laid a suit for partition against the private respondents herein which came to be dismissed both by the trial Court and also by the First Appellate Court and now, she had preferred S.A.(MD)No.34 of 2004. On 10.03.2008, this Court has passed an order of status quo in M.P.(MD)No.1 of 2007. But unfortunately, the appeal itself came to be dismissed for non prosecution, due to inadvertent oversight by the counsel on record for the appellant in the second appeal. Now the petitioner has preferred an application for restoring the appeal to file. In the meantime, the respondents 5 to 7 are cutting and removing the trees worth about Rs.10,00,000/- and also posing threat to the life, limb and liberty of the petitioner.

3. The learned Additional Public Prosecutor submitted that the complaint preferred by the petitioner is being enquired into in C.S.R.No.58 of 2017.

4. So far as the petitioner's right to property is concerned, inasmuch as the matter is in the seisin of another Bench of this Court in S.A.(MD)No.34 of 2004, it may not be appropriate for this Court to pass any direction to viz-a-viz that aspect. As to the second aspect of granting protection to the petitioner's life, limb and liberty, the fourth respondent is directed to hold such necessary enquiry on the complaint now pending enquiry in CSR No.58 of 2017 and take appropriate decision as may be necessary to protect the same.

5. With the above direction, this criminal original petition is disposed of.

Sd/-

Assistant Registrar

/True Copy/

Sub Assistant Registrar

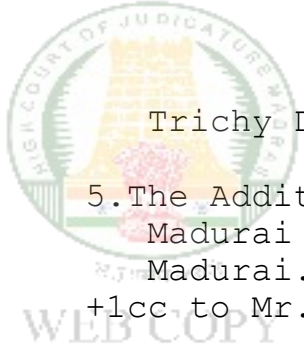
To

1. The Inspector General of Police,
Central Zone, Trichy.

2. The Superintendent of Police,
Trichy District, Trichy.

3. The Deputy Superintendent of Police,
Manapparai, Trichy District.

<https://hcservices.ecourts.gov.in/hcservices/>
4. The Inspector of Police,
Puthanatham Police Station,



Trichy District.

5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.A.Joel Paul Antony, Advocate, SR.No.55612

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SP/05.04.2019/ 3P/7C