



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.03.2019

CORAM :

THE HONOURABLE MR.JUSTICE N.SESHASAYEE

Cr1.O.P.(MD)No.4385 of 2019

Selvaraj

... Petitioner

/Vs./

1.The Superintendent of Police,
Karur District.

2.The Deputy Superintendent of Police,
Kulithalai Sub-Division, Karur District.

3.The Inspector of Police,
Balaviduthi Police Station,
Karur District.

4.Chinnakasu @ Thammanayaker

... Respondents

Prayer: Petition - filed under Section 482 of the Criminal Procedure Code, to direct the respondents 2 and 3 to give adequate police protection to the petitioner for entering into his property and fencing the above property S.F.No.1497 / 10 situated at Th.Idayampatti Village, Kadavur Taluk, Karur District, based upon the petitioner's complaint dated 10.01.2019.

For Petitioner : Mr.M.Prabu

For R-1 to R-3 : Mr.V.Neelkandan

Additional Public Prosecutor

ORDER

This petition is filed to direct the respondents 2 and 3 to give adequate police protection to the petitioner for entering into his property and fencing the above property S.F.No.1497 / 10 situated at Th.Idayampatti Village, Kadavur Taluk, Karur District, based upon the petitioner's complaint dated 10.01.2019.

2. Heard the learned counsel appearing for the petitioners and the learned Additional Public Prosecutor appearing for the respondents 1 to 3.

3. The learned counsel appearing for the petitioner submitted that notwithstanding the decree that the petitioner had obtained in O.S.No.232 of 2008 against the fourth respondent, and notwithstanding the undertaking the fourth respondent had given before the Execution Court in E.P.No.20 of 2010 that he would not interfere with the petitioner's peaceful possession of his property in S.F.No.1497 / 10 situated at Th.Idayampatti Village, Kadavur



Taluk, Karur District, the fourth respondent now poses a course of threat in his enjoyment of his right to property.

4. The learned Additional Public Prosecutor submitted that a representation dated 10.01.2019 has been given and it is being enquired into. He also submitted that necessary protection will be given after due enquiry.

5. The said statement of the learned Additional Public Prosecutor is recorded. The third respondent is directed to hold a due and proper enquiry on the complaint of the petitioner, and grant him such necessary protection to secure his right to property. Accordingly, this criminal original petition is disposed of.

6. It is made clear that this Court does not order granting of police protection (24 x 7) and the third respondent is left to decide on the basis of the objective assessment of the threat perception of the petitioner from time to time.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar (CS)

To

- 1.The Superintendent of Police, Karur District.
- 2.The Deputy Superintendent of Police,
Kulithalai Sub-Division, Karur District.
- 3.The Inspector of Police, Balaviduthi Police Station,
Karur District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1CC TO MR.M.PRABU, Advocate Sr. No. 56376

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TR (11.04.2019) 2P 6C