



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.03.2019

CORAM

THE HONOURABLE MR. JUSTICE **N.SESHASAYEE**

Crl.O.P. (MD) No.4730 of 2019

S.Arumugam

... Petitioner

Vs.

1.The State represented by
The Superintendent of Police,
Tirunelveli District.

2.The Inspector of Police,
Karivalamvanthanallur Police Station,
Tirunelveli District.

3.Krishnaveni ... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to direct the respondents 1 and 2 to provide the police protection to the petitioner's life and limb and her above said residential house property, on the basis of the petitioner's complaint dated 15.10.2018.

For Petitioner : Mr.S.Mandhiralingeswaran
For R-1 & R2 : Mr.V.Neelakandan
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking a direction to the respondents 1 and 2 to provide the police protection to the petitioner's life and limb and her above said residential house property, on the basis of the petitioner's complaint dated 15.10.2018.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor.

3. The learned counsel for the petitioner submits that the petitioner and the third respondent are the co-sharers of a certain common pathway, that the third respondent now indulges in mischief and puts up a compound wall affecting the character of the property held in co-ownership. Hence, the petitioner seeks protection to her life, limb, liberty and right to property.



4. The learned Additional Public Prosecutor submitted that the property has not been partitioned and that creates some difficulty.

5. So far as the right over the immovable property is concerned, the petitioner is well advised to approach the appropriate civil Court for appropriate remedies. So far as the petitioner's right to life, limb and liberty, the petitioner is directed to make a fresh representation to the second respondent, if her threat perception is real and continues, whereupon, the second respondent police is directed to cause such necessary enquiry on the complaint filed by the petitioner and take such appropriate decision as may be necessary to protect the life, limb and liberty of the petitioner.

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

7. It is made clear that this Court does not order granting of police protection 24 x 7 and the second 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)

sm/vsd

To

- 1.The Superintendent of Police,
Tirunelveli District.
- 2.The Inspector of Police,
Karivalamvanthanallur Police Station,
Tirunelveli District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1CC TO MR.S.MANDHRA LINGESHWARAN, Advocate Sr. No. 57707

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