



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.04.2019

CORAM

THE HONOURABLE MR. JUSTICE N.SESHASAYEE

Crl.O.P. (MD) No.4814 of 2019

V.Lakshman

... Petitioner

Vs.

1.The Superintendent of Police,
Office of the Superintendent of Police,
Dindigul District.

2.The Inspector of Police,
Sempatti Police Station,
Sempatti, Dindigul District.

3.Vellaiyammal

4.Kuppayee Ammal

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to direct the respondent Nos.1 and 2 to give police protection for the property and life and limb of the petitioner based on the representation of the petitioner dated 20.03.2019.

For Petitioner : Mr.S.K.Karthick Subramanian

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

ORDER

This Criminal Original Petition has been filed seeking a direction to the the respondent Nos.1 and 2 to give police protection for the property and life and limb of the petitioner based on the representation of the petitioner dated 20.03.2019.

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

3. The learned counsel appearing for the petitioner submitted that the petitioner and the private respondents herein are co-sharers of a certain immovable property. A suit for partition in O.S.No.1155 of 1985 was laid, in which the final decree too has been passed and delivery has also been obtained by the petitioner in



E.P.No.25 of 2018. Notwithstanding the same, he continues to face threat to his life, limb, liberty and right to property at the hands of the private respondents.

4. The learned Additional Public Prosecutor submitted that a complaint appears to have been given to the first respondent.

5. For the present, if the petitioner alleges that he faces threat to his life, limb, liberty and right to property from the respondents 3 & 4, he is directed to give a fresh complaint to the second respondent and on such fresh complaint, the second respondent is directed to enquire into the matter of the complaint filed by the petitioner and take such appropriate decision as may be necessary to protect the life, limb, liberty and right to the property 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)

To

1.The Superintendent of Police,
Office of the Superintendent of Police,
Dindigul District.

2.The Inspector of Police,
Sempatti Police Station,
Sempatti, Dindigul District.

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

+1 CC to M/s.S.KARTHICK SUBRAMANIAN, Advocate in SR-58464

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