



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.04.2019

CORAM:

THE HONOURABLE **MR. JUSTICE N. SESHASAYEE**
Crl.O.P.(MD)No.5107 of 2019

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Karunanithi

... Petitioner

/Vs./

1.The Deputy Superintendent of Police,
Musiri Sub Division, Trichy District.

2.The Sub-Inspector of Police,
Uppliyapuram Police Station,
Thuraiyur Taluk, Trichy District.

3.Karuppaiah

4.Rengaraj

5.Chandrasekar

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C., to direct the respondents 1 and 2 to give suitable police protection to the petitioner for the enjoyment of his property as per the injunction order passed by the Hon'ble District Munsif Court, Thuraiyur, in I.A.No.542 of 2018 in O.S.No.63 of 2018, dated 29.05.2018.

For Petitioner

: Mr.S.Muthukrishnan

For R-1 & R-2

: Mr.V.Neelakandan

Additional Public Prosecutor

ORDER

The petitioner complains of threat to his right to property which he claims that he has purchased from the respondents 3 to 5 sometime in 2011.

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

3. The learned counsel appearing for the petitioner submitted that consequent to such interference from his own vendor, the petitioner was constrained to move the civil Court with O.S.No.63 of 2018, in which the trial Court has passed an order of interim injunction protecting the petitioner's peaceful possession in I.A.No.542 of 2018. He also added that consequent to the interference made, he has also preferred a complaint, based on which a FIR came to be registered in Crime No.113 of 2018.



4. Concurring with the submission of the learned counsel appearing for the petitioner, the learned Additional Public Prosecutor submitted that investigation in the aforesaid case is substantially completed.

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5. Inasmuch as the petitioner is clothed with the order of injunction, it is important that the private respondents are not allowed to take law into their hands. The petitioner is now directed to prefer a fresh complaint / representation to the second respondent, receiving which, the second respondent is directed to enquire into the complaint filed by the petitioner and take such appropriate decision as may be necessary to protect the life, 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 (CS-III)

// True Copy //

Sub Assistant Registrar (CS)

To

1. The Deputy Superintendent of Police,
Musiri Sub Division, Trichy District.

2. The Sub-Inspector of Police,
Uppliyapuram Police Station,
Thuraiyur Taluk, Trichy District.

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

+1 CC to M/s. S. MUTHU KRISHNAN, Advocate (SR-59013[F] dated
04/04/2019)

SM

Cr1.O.P. (MD) No. 5107 of 2019
04.04.2019