



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.04.2019

CORAM:

THE HONOURABLE MR. JUSTICE N. SESHASAYEE

Crl.O.P.[MD]No.5964 of 2019

WEB COPY

P.Murugesan

: Petitioner

Vs.

1. The Superintendent of Police,
Thanjavur District, Thanjavur.

2. The Inspector of Police,
Thiruppanandal Police Station,
Thanjavur District.

3. P.Mookan

: Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the second respondent to provide adequate Police Protection to the petitioner for enjoying the possession of the properties in S.No.157/2 and 157/3 situated Valandhakandam Village, Kumbakonam Taluk, Thanjavur District by considering the delivery of possession taken in E.P.No.23/2016 in O.S.No.09/2015 on the file of the Principal Subordinate Judge, Kumbakonam.

For Petitioner : Mr.K.S.Duraipandian

For R1 and R2 : Mr.V.Neelakandan

Additional Public Prosecutor

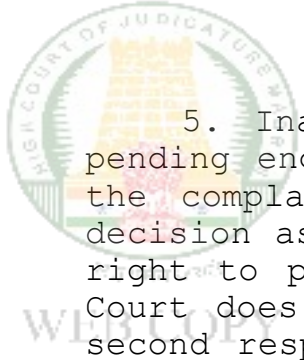
ORDER

The petitioner complains threat to his life, limb, liberty and right to property at the hands of the third respondent.

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 the third respondent owned a certain immovable property, that in 2012, the petitioner had entered into a sale agreement for the purchase of the said property from the third respondent, that the petitioner later filed a suit in O.S.No.9 of 2014 for specifically enforcing the said sale agreement, that the suit came to be decreed and later in the Execution Proceedings, he was given possession of the property too. After, all these judicial proceedings, the petitioner faces threat perception. He added that the complaint has been given to the second respondent.

4. The learned Additional Public Prosecutor submitted that the complaint preferred by the petitioner is pending.



5. Inasmuch as the complaint preferred by the petitioner is pending enquiry, 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, limb, liberty and right to property of the petitioner. 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.

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

sd/
Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar

To

1. The Principal Subordinate Judge,
Kumbakonam.
2. The Superintendent of Police,
Thanjavur District, Thanjavur.
3. The Inspector of Police,
Thiruppanandal Police Station,
Thanjavur District
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1.CC. To Mr.K.S.Duraipandian, Advocate in SR No.62482

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SM

MK (04.06.2019) 2P 6C