



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **25.04.2019**

CORAM:

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

Crl.O.P.[MD]No.5998 of 2019

WEB COPY

L.Manoharan

: Petitioner

/Vs./

- 1.The Superintendent of Police,
Dindigul District, Dindigul.
- 2.The Deputy Superintendent of Police,
Ottanchathiram, Dindigul District.
- 3.State represented by the
The Inspector of Police,
Sempatti Police Station, Dindigul District.
- 4.N.Alageswaran

5.R.Srinivasadhayanithi : Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., directing the respondent Nos.1 to 3 to provide adequate police protection to the life and limb of the petitioner and his property on the representation made by the petitioner to the respondents 1 to 3 on 19.03.2019.

For Petitioner : Mr.A.R.Kanniappan

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

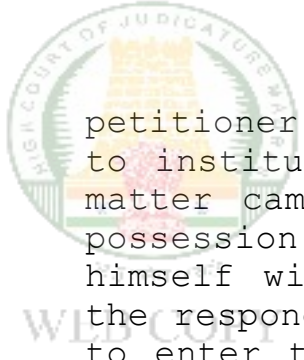
Additional Public Prosecutor

ORDER

This petition is filed to direct the respondent Nos.1 to 3 to provide adequate police protection to the life and limb of the petitioner and his property on the representation made by the petitioner to the respondents 1 to 3 on 19.03.2019.

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 petitioner alleges constant threat to his right to property at the hands of the respondents 4 and 5. This threat has commenced sometime in the year 2017 and continues unabated till date. Earlier, the petitioner has preferred a complaint with the third respondent and after enquiry, the third respondent had cautioned the respondents 4 and 5 to stay within their bounds of right. In spite of that, they attempted to forcibly enter the



petitioner's property. Therefore, the petitioner was constrained to institute a case in CrI.O.P.(MD)No.16402 of 2017 and when the matter came before this Court, this Court was informed that the possession is with the petitioner and subsequently, the petitioner himself withdrew the said petition. However, after a few days, the respondents 4 and 5 along with an Advocate forcibly attempted to enter the petitioner's property. In this regard, a complaint has been given by the petitioner to the respondent police.

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 third respondent 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, 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 third 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-III)

// True Copy //

Sub Assistant Registrar(CS)

To

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

2.The Deputy Superintendent of Police,
Ottanchathiram, Dindigul District.

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

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

+1 CC to M/s.A.R.KANNAPPAN, Advocate (SR-62417[F] dated 25/04/2019)

SM