



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.04.2019

CORAM:

THE HONOURABLE MR. JUSTICE N. SESHASAYEE

CrI.O.P. [MD] No. 6057 of 2019

WEB COPY

Aishwarya

: Petitioner

/Vs./

1. The Superintendent of Police,
Theni District, Theni.
2. State represented by the
The Inspector of Police,
Thenkarai Police Station, Theni District.
3. Ashok
4. P. Amutha
5. G. Amutha
6. A. Eswari
7. G. Inbavalli
8. B. Sumathi
9. K. Thavamani
10. Ramani
11. Sumathi
12. Kamaladevi

: Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the respondents 1 and 2 to provide adequate police protection to the life and limb of the petitioner and her property on the basis of representation made by the petitioner to the first and second respondents, dated 04.04.2019.

For Petitioner : Mr. V. Sankara Narayanan

For R1 and R2 : Mr. V. Neelakandan

Additional Public Prosecutor

ORDER

The petitioner complains that she faces threat to her life, limb, liberty and right to property from the respondents 3 to 12 and seeks police protection.

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

3. The learned Additional Public Prosecutor submitted that the petitioner has constructed her house and it is said to have been obstructed the pathway and hence, there is a controversy over the same. He added that the complaint preferred by the petitioner is pending.



4. So far as the dispute over the right of pathway is concerned and if there is a civil dispute, the parties necessarily may have to go before the Civil Court. So far as the petitioner's threat to life, limb and liberty of the petitioner is concerned, the second respondent is directed to cause such necessary enquiry on the pending complaint filed by the petitioner and take such appropriate decision as may be necessary to protect the life, limb and liberty 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.

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

sd/
Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

To

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

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SM

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