



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.04.2019

CORAM :

THE HONOURABLE MR.JUSTICE N.SESHASAYEE

Cr1.O.P.(MD)No.6078 of 2019

G.Jebarajan

... Petitioner

/Vs./

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

2.The Inspector of Police,
Munnerpallam Police Station,
Tirunelveli District.

3.Daniel Muthaiah

4.Annathai

... Respondents

Prayer: Petition - filed under Section 482 of the Criminal Procedure Code, to direct the respondents 1 and 2 to provide adequate police protection to the petitioner and the property in S.No.621/35, situated at Sengulam Village, Tirunelveli District, based upon civil Court in I.A.No.1 of 2019 in O.S.No.43 of 2019 on the file of the learned Principal District Munsif, Tirunelveli, dated 25.01.2019 as per the representation dated 07.02.2019.

For Petitioner : Mr.S.Gokulraj

For R-1 & R-2 : Mr.V.Neelkandan

Additional Public Prosecutor

ORDER

This petition is filed to direct the 1st respondent not to harass the petitioner in the guise of enquiry.

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

3. The learned counsel appearing for the petitioner submits that the petitioner has laid a civil suit in O.S.No.43 of 2019 against the respondents 3 and 4 and has obtained an order of interim injunction against them as concerning an immovable property. Notwithstanding the same, the respondents 3 and 4 constantly interfere with the petitioner's right to property and also pose threat to the petitioner's life, limb and liberty. He also added that the case has already been registered against the private respondents herein in Crime No.18 of 2019, but threat perception



continues to remain unabated.

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 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.

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

Sd/-

Assistant Registrar ()

// True Copy //

Sub Assistant Registrar(CS)

To

1.The Principal District Munsif, Tirunelveli.

2.The Superintendent of Police,
Tirunelveli District, Tirunelveli.

3.The Inspector of Police,
Munnerpallam Police Station,
Tirunelveli District.

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

1 CC to M/s.S.GOKULRAJ, Advocate (SR-63047[F] dated 26/04/2019)

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DS/ /SAR- (29.04.2019) 2P 6C