



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **26.04.2019**

CORAM:

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

Crl.O.P.[MD]No.6141 of 2019

Petchimuthu

: Petitioner

/Vs./

- 1.The Superintendent of Police,  
Virudhunagar District, Virudhunagar.
- 2.The Deputy Superintendent of Police,  
Rajapalayam Division,  
Rajapalayam, Virudhunagar District
- 3.The Inspector of Police,  
Thalavaipuram Police Station,  
Rajapalayam Taluk, Virudhunagar District.

4.T.Alagumuthu

: Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to give adequate police protection to the life and limb of the petitioner while he fencing his land property of an extent of 26 cents comprised in survey No.426/2A at Puthur village, Rajapalayam Taluk, Virudhunagar District.

|                |                              |
|----------------|------------------------------|
| For Petitioner | : Mr.A.Balaji                |
| For R-1 to R-3 | : Mr.V.Neelakandan           |
|                | Additional Public Prosecutor |

#### ORDER

This petition is filed to give adequate police protection to the life and limb of the petitioner while he is fencing his land.

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 is a senior citizen, that he has purchased a certain house property in 1994, that the fourth respondent is now attempting to trespass into his property after removing the boundary stones. He further submitted that the petitioner faces threat to his life, limb, liberty and right to property.

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 now directed to cause such necessary enquiry on the complaint filed by the petitioner. If the enquiry discloses *prima facie* existence of a civil dispute, then the third respondent shall step aside. If however the enquiry discloses any threat to the petitioner's life, limb and liberty, the third respondent shall 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 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-II)

// True Copy //

Sub Assistant Registrar(CS)

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To

- 1.The Superintendent of Police,  
Virudhunagar District, Virudhunagar.
- 2.The Deputy Superintendent of Police,  
Rajapalayam Division,  
Rajapalayam, Virudhunagar District
- 3.The Inspector of Police,  
Thalavaipuram Police Station,  
Rajapalayam Taluk, Virudhunagar District.
- 4.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

+1CC TO MR.A.BALAJI, Advocate Sr. No. 63031

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26.04.2019

KMV (CO)

TR (11.06.2019) 2P 6C

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