IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.03.2020

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.No.1662 of 2020

M.Allimuthu .. Petitioner

Vs

1. State by
   The Superintendent of Police,
   Namakkal District,
   Namakkal.

2. The Inspector of Police,
   Mohanur Police Station,
   Mohanur, Namakkal District.

3. Sembayee
4. Sakthivel
5. Vasanthamani
6. Subramani
7. Kumarasamy
8. Kaliyammal .. Respondents

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Prayer :- Criminal Original Petition filed under Section 482 Cr.P.C. to direct the respondents 1 and 2 police to give adequate police protection for laying the pipeline through the pathway situated in S.Nos.83/3C2, 83/C3, 82/1B, 1C, 1D and 1E Komaripalayam Village, Mohanur Taluk, Namakkal District on the basis of the complaint made by the petitioner on 06.01.2020.

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For Petitioner : Mr.C.Prakasam

For Respondents : Mr.M.Mohamed Riyaz
Addl. Public Prosecutor
(For R1 & R2)

O R D E R

This petition has been filed seeking for direction to the respondents 1 and 2 police to give adequate police protection for laying the pipeline through the pathway situated in S.Nos.83/3C2, 83/C3, 82/1B, 1C, 1D and 1E Komaripalayam Village, Mohanur Taluk, Namakkal District on the basis of the complaint made by the petitioner on 06.01.2020.

2. The learned counsel for the petitioner has submitted that the respondents 3 to 8 with ulterior motive prevent the petitioner from laying the pipeline and taking irrigation water to his land and hence the petitioner approached the civil Court and filed Civil Suit in O.S.No.447 of 2015 on the file of the Principal District Munsif Court, Namakkal and obtained Decree on 14.10.2019 whereby restraining the respondents 3 to 8 from interfering with the petitioner to lay the pipe line in the above said pathway.

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3. Heard Mr.C.Prakasam, learned Counsel for the petitioner and Mr.M.Mohamed Riyaz, learned Additional Public Prosecutor for the first and second respondents.

4. The learned Additional Public Prosecutor would submit that the respondent police cannot give police protection, as the case is civil in nature.

5. In view of the submission of the learned Additional Public Prosecutor, this Criminal Original Petition is dismissed. However, the petitioner is at liberty to approach the court concerned for getting appropriate relief.

04.03.2020

Internet:Yes
Index:Yes/No
Speaking/Non speaking order
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G.K.ILANTHIRAIYAN. J,

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To

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

2. The Inspector of Police,
   Mohanur Police Station,
   Mohanur, Namakkal District.

3.The Public Prosecutor,
  High Court, Madras.

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