

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.08.2020

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.13232 of 2020

J.Sasikumar
S/o Jayapaul
No.2/298, Mookareddipatti
A.Pallipatti, Dharmapuri
Dharmapuri District.

...Petitioner

Vs.

1.State Rep by its
The Superintendent of Police
Dharmapuri District
Dharmapuri - 636 905.

2.The Inspector of Police
A.Pallipatti Police Station
Dharmapuri District
Dharmapuri - 636 905.

3.Poopathi
S/o Rengarajan
Mookareddipatti
A.Pallipatti, Dharmapuri
Dharmapuri District 636905.

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the 2nd respondent to provide police protection to the petitioner for putting up compound wall around his property and do other construction activities based on the petitioner's complaint dated 14.03.2020.

For Petitioner : Ms.S.Sujatha

For Respondents: Mr.S.Karthikeyan

Additional Public Prosecutor for 1 & 2

O R D E R

The Criminal Original Petition has been filed to direct the 2nd respondent to provide police protection to the petitioner for putting up compound wall around his property and do other construction activities based on the petitioner's complaint dated 14.03.2020.

2.The learned counsel for the petitioner would submit that the petitioner is the owner of the property and the 3rd

respondent herein, objecting the petitioner to put up any construction on his property.

3.The learned Additional Public Prosecutor would submit that in the year 2019 itself the petitioner lodged a complaint as against the 3rd respondent and the same has been registered in CSR No.183 of 2020 and subsequently enquired and closed as mistake of fact. In pursuant to the same the 3rd respondent also lodged a complaint and the same was registered against the petitioner in Crime No.100 of 2019. Thereafter, it was taken cognizance in C.C.No.194 of 2019 on the file of the Judicial Magistrate, Pappireddypatti and it is pending for trial. He further submitted that the dispute between the petitioner and the 3rd respondent is completely civil in nature and now without filing the suit, he sought for police protection.

4.It is seen from the records that already trial has been completed in C.C.No.194 of 2019 on the file of the Judicial Magistrate, Pappireddypatti. If at all, any right over the disputed property by the petitioner, he can very well approach the civil Court for appropriate relief. Therefore, the petition is devoid of merits. Accordingly, the Criminal Original Petition is dismissed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

- 1.The Superintendent of Police
Dharmapuri District
Dharmapuri - 636 905.
- 2.The Inspector of Police
A.Pallipatti Police Station
Dharmapuri District
Dharmapuri - 636 905.
- 3.The Public Prosecutor
High Court of Madras.

Cr1.O.P.No.13232 of 2020

AJS (CO)
RV(28/10/2020)