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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.03.2020

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P.NO.30804 OF 2019

Jeyamalini,
W/o.Muruganantham,
Bharthidasan Nagar, Mannargudi,
Tiruvarur District.

.. Petitioner

Vs.

1. The Superintendent of Police,
Tiruvarur, Tiruvarur District.
2. The Inspector of Police,
Thiruthuraipoondi, Tiruvarur District.
3. Gopal Raman,
S/o.Samiyappan,
Main Road, Mettupalaiyam,
Tiruvarur District.

.. Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. to direct the 2nd respondent to provide necessary police protection to the petitioner for cultivation in her agricultural land comprised in Survey No.25/3A situated at Mettupalayam Village, Tiruvarur District, pursuant to the petitioner's representation dated 04.10.2019.

For Petitioner :	Mr.M.Subash
For RR1 & 2 :	Mr.M.Mohamed Riyaz
	Addl. Public Prosecutor
For R3 :	Mr.S.Ilamvaludhi

O R D E R

This petition has been filed to direct the 2nd respondent to provide necessary police protection to the petitioner for cultivation in her agricultural land comprised in Survey No.25/3A situated at Mettupalayam Village, Tiruvarur District, pursuant to the petitioner's representation dated 04.10.2019.



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2. It is seen from the records that the petitioner purchased the property measuring 2.70 cents comprised in Survey No.25/3 and doing agricultural work and enjoying the same by paying necessary tax. The petitioner also appointed one Thangamani to supervise and cultivate in the above mentioned land.

3. The learned counsel for the petitioner would submit that the 3rd respondent herein interfered the possession and enjoyment of the property, threatened the petitioner with dire consequences and also abused her by saying her community name; the third respondent also attacked the said Thangamani and his family members and therefore, the petitioner lodged a complaint to the second respondent police twice. The petitioner sent a representation dated 04.10.2019 to the first and second respondents to take action against the 3rd respondent and to provide police protection. Since the same was not considered, this petition has been filed seeking for appropriate direction.

4. The learned Additional Public Prosecutor would submit that the respondent police cannot give police protection in a case of this nature.

5. Heard Mr.K.Govi Ganesan, learned Counsel for the petitioner and Mr.M.Mohamed Riyaz, learned Additional Public Prosecutor for the first respondent police.

6. It is possible for the petitioner to seek for police protection before the Court below, by filing an appropriate petition under Section 151 of Cr.P.C. The petitioner cannot maintain an independent petition before this Court seeking for police protection. The police cannot interfere in this case, unless, a specific direction is given by a competent Civil Court.

7. In view of the above, this Criminal Original Petition is disposed of, by giving liberty to the petitioner to workout his remedy before the Court below in the manner indicated herein above.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

kmm



To

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

2. The Inspector of Police,
Thiruthuraipoondi,
Tiruvarur District.

3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.S.Ilamvaludhi, Advocate, S.R.No.23561

Cr1.O.P.No.30804 of 2019

CA(CO)
CS/14/07/2020