



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.03.2020

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P.(MD)No.4058 of 2020

H.Usha Dhayali

... Petitioner

Vs.

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

2. The Inspector of Police,
Kodaikanal Police station,
Kodaikanal,
Dindigul District.

3. Palanisamy @ Basheer Ahamed

4. Mumtaj

5. Shaji @ Shajahan

... Respondents

Prayer: Criminal Original petition is filed under Section 482 of Cr.P.C, to direct the second respondent to provide police protection to the petitioner and her children's life and limb on the basis of the representation dated 25.02.2020.

For Petitioner : Mr.B.N.Raja Mohamed

For R-1 & R-2 : Mr.A.Robinson,
Government Advocate(Crl. Side).

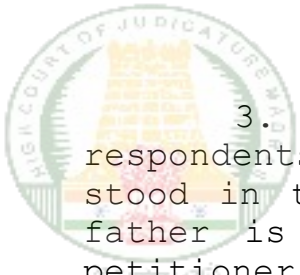
For R-3 to R-5 : Mr.N.Mohan

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O R D E R

This criminal original petition has been filed by the petitioner seeking police protection for herself and her children. The petitioner had given a representation dated 25.02.2020.

2. Heard the learned counsel appearing for the petitioner as well as the learned Government Advocate(Crl. Side) appearing for respondents 1 and 2 and the learned counsel appearing for the private respondents.



3. The learned counsel appearing for the private respondents claims that there is a property in Kodaikanal that stood in the name of the petitioner's father. The petitioner's father is now no more. The property has now devolved to the petitioner and her sister.

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4. The petitioner claims to be keeping a portion of the said property. The learned counsel appearing for the private respondents states that the petitioner's father had taken a sum of Rs.5,00,000/- from them and had executed an othi deed. But then the othi deed is not a registered document.

5. The petitioner alleges that the private respondents have trespassed into her property. But the private respondents claim to be in possession of the property under the othi document. Since contentious allegations are made on either side, I am afraid that this Court will not be in a position to probe the matter. However, if the petitioner suffers any physical harm, the second respondent is bound to take action in the matter.

6. With these observations, the criminal original petition stands disposed of.

Sd/-

Assistant Registrar (CS-II)

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Sub Assistant Registrar (CS)

pmu

To:

1. The Superintendent of Police,
Dindigul District,
Dindigul.
2. The Inspector of Police,
Kodaikanal police station,
Kodaikanal,
Dindigul District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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