



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.03.2020

CORAM

THE HONOURABLE **MR. JUSTICE M.DHANDAPANI**

CRL.O.P (MD) No.4813 of 2020

R.Amsavalli

... Petitioner

Vs

1.The Superintendent of Police,
Dindigul District.

2.The Inspector of Police,
Oddanchathiram Police Station,
Oddanchathiram, Dindigul District.

3.V.Dhanrajthevar

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the respondents 1 and 2 to provide adequate police protection to the petitioner's property in S.No.117/3A situated in Kollampatti Village, Oddanchathiram, Dindigul District against the third respondent.

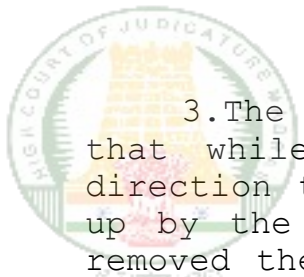
For Petitioner: Mr.M.Sendhilkumar

For R1 and R2 : Mrs.S.Bharathi
Government Advocate (Crl. Side)

O R D E R

This petition has been filed seeking for a direction to the respondents 1 and 2 to provide adequate police protection to the petitioner's property in S.No.117/3A situated in Kollampatti Village, Oddanchathiram, Dindigul District against the third respondent.

2.The case of the petitioner is that the petitioner is the owner of the dry land in Kollampatti Village, Oddanchathiram in S.No.117/3A. While they are in peaceful possession and enjoyment of the property, the petitioner has constructed a small house in a corner of the above said property and residing with her family and doing farming activities in the land for years together. While so, the petitioner's husband died in last year because of his ill health. While so, the third respondent who is the former President of the said Panchayat in order to grab the property without giving any way. Thereby, the petitioner has filed a complaint on 14.03.2020 before respondents 1 and 2 to provide necessary police protection and take action against the third respondent. Hence, the present petition is filed with the above said prayer.



3.The learned counsel appearing for the petitioner would submit that while entertaining the petition, this Court has issued a direction to the respondent police to remove the illegal fence put up by the third respondent, in compliance, the respondent police removed the fence and ingress and egress of the petitioner has not disturbed. However, the third respondent continued to threaten the life of the petitioner. Hence, this Court may pass appropriate orders.

4.The learned Government Advocate (Crl. side) would submit that as per the direction of this Court, the third respondent himself has come forward to remove the fence put up by him and further the petitioner safety will be ensured in the course of enquiry and further, the petitioner has also filed a suit against the third respondent in the competent civil Court in O.S.No.50 of 2019.

5.Considering the facts and circumstances, since the petitioner immediate apprehension for preventing to ingress and egress of the house by the third respondent is no longer exist and in view of the assurance given by the respondent police, that petitioner's safety will be ensured in the course of enquiry, the Criminal Original Petition stands closed. However, liberty is granted to the petitioner to work out his other remedy in the manner known to law.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

To

- 1.The Superintendent of Police,
Dindigul District.
 - 2.The Inspector of Police,
Oddanchathiram Police Station, Oddanchathiram, Dindigul District.
 - 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
- +1 CC to M/s.M.SENTHILKUMAR, Advocate (SR-12923[F]

CRL.O.P (MD) No.4813 of 2020
20.03.2020

SJI

SDS (04.06.2020) 2P-5C

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