



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.07.2020

WEB COPY

CORAM:

THE HONOURABLE MR.JUSTICE R.PONGIAPPAN

Cr1.O.P.[MD]No.7025 of 2020

V.Moorthy

... Petitioner

Vs.

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

2.The Inspector of Police,
Kariapatti Police Station,
Virudhunagar District.

3.The Sub Inspector of Police,
Aviyoor Police Station,
Virudhunagar District.

4.Venkatesan

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the respondents 1 to 3 to give police protection to the life and limb of the petitioner facing threat from the fourth respondent herein, on account of harvesting his crops under Survey Nos.199/5B and 199/6B at Mangulam Village, Kariapatti Taluk, Virudhunagar District, by considering the representation of the petitioner dated 10.06.2020.

For Petitioner : Mr.M.Ramesh

For R1 and R2 : Mr.S.Chandrasekar
Additional Public Prosecutor

O R D E R

This petition has been filed seeking direction to the respondents 1 to 3 to give police protection to the petitioner's life and limb.

<https://hcservices.ecourts.gov.in/hcservices/>



2.The learned counsel for the petitioner would submit that the petitioner and the fourth respondent jointly purchased the property in survey Nos.199/5B and 199/6B at Mangulam Village, Kariapatti Taluk, Virudhunagar District. After made a purchase, the petitioner himself raised crops and the same was kept pending for harvesting. In the said circumstances, the fourth respondent herein attempted to interfere with the work of harvesting. Hence, it is necessary to give police production to the petitioner.

3.The learned Additional Public Prosecutor appearing for the respondents 1 to 3 would submit that previously in respect of the dispute between the petitioner and the fourth respondent on 27.04.2020, a case has been registered against the fourth respondent in crime No.156 of 2020 under Sections 342, 294(b), 323, 324 and 506(ii) of I.P.C. He would further add that on the same day, based on the complaint given by the fourth respondent, another case has been registered in Crime No.157 of 2020 under Section 294(b), 323, 342 and 506(ii) I.P.C., in which, the petitioner was arrayed as first accused.

4.Considering the rival submissions made by either side, since already the respondents 1 to 3 have initiated the proceedings in favour of the petitioner, the petitioner has not entitled to avail the relief of police production. Further, the petitioner has not substantiated the specific reasons for availing the said remedy. It is obvious that the petitioner has to workout his remedy only in a case which was already registered in favor of him. Hence, this Criminal Original Petition is dismissed.

Sd/-

Assistant Registrar(CS)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



To

- 1.The Superintendent of Police,
Virudhunagar District,
Virudhunagar.
- 2.The Inspector of Police,
Kariapatti Police Station,
Virudhunagar District.
- 3.The Sub Inspector of Police,
Aviyoor Police Station,
Virudhunagar District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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SPU(15.07.2020) 3P 5C