



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.09.2020

CORAM:

THE HONOURABLE Mr.JUSTICE R.PONGIAPPAN

CRL OP(MD)Nos.9452 and 9480 of 2020

WEB COPY

Crl.O.P.(MD)No.9452 of 2020:-

Vijaya, W/o.Selvam

... Petitioner

Vs.

1.The State Rep. by the
Superintendent of Police,
Theni District,
Theni.

2.The State Rep. by
The Inspector of Police,
Rajathani Police Station,
Aundipatty Taluk,
Theni District.

3.Mayan, S/o.Kulanthaivel

4.Murugan, S/o.Mayan

5.Prabaharan, S/o.Mayan

... Respondents

PRAYER: Petition filed under Section 482 of Criminal Procedure Code, praying to direct the respondent Police to give adequate police protection to the petitioner's life and limb to fence her property, measuring an extent of 0.14.18 Ares, i.e., 35 cents in the southern side of the land, measuring an extent of 0.33.0 i.e., 81 cents comprised in Survey No.12/2, in Rajathani Village, Aundipatty Taluk, at Theni District, on the basis of the petitioner's representation dated 13.08.2020.

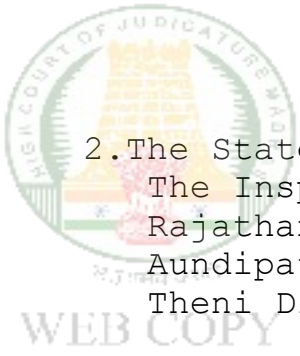
Crl.O.P.(MD)No.9480 of 2020:-

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... Petitioner

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Theni District,
Theni.



2.The State Rep. by
The Inspector of Police,
Rajathani Police Station,
Aundipatty Taluk,
Theni District.

3.Subbuthai, W/o.Late. Rajangam

4.Kennadi, S/o. Late, Rajangam

5.Chellakkannu, S/o. Late. Rajangam

6.Palanisamy, S/o.Sakthivel

7.Muthaiya, S/o.Mookan

... Respondents

PRAYER: Petition filed under Section 482 of Criminal Procedure Code, praying to direct the respondents 1 and 2 to give adequate police protection to the petitioner's life and limb to fence her property, measuring an extent of 83 Cents excluding the northern portion of 73 cents within 1 Acre 56 Cents, comprised in lands situated in Survey Nos.30/4 and 30/54 respectively, measuring an extent of 30 Cents and 1 Acre and 26 Cents, in K.Kamatchipuram Village, Aundipatty Taluk, at Theni District, on the basis of the petitioner's representation dated 13.08.2020.

For Petitioner

in both the Crl.O.Ps. : Mr.R.Shankar Ganesh

For R1 and R2

in both the Crl.O.Ps. : Mr.S.Chandrasekar
Additional Public Prosecutor

COMMON ORDER

Both the Criminal Original Petitions have been filed seeking direction, to direct the respondent police to give adequate police protection to the petitioner's life and limb, so as to put up fencing in her properties in S.No.12/2, measuring an extent of 81 cents, situated at Rajathani Village, Aundipatty Taluk, Theni District, and in S.Nos.30/4 and 30/54, measuring an extent of 30 Cents and 1 Acre and 26 Cents respectively, situated at K.Kamatchipuram Village, Aundipatty Taluk, Theni District, based on the representation given by the petitioner, dated 13.08.2020.

2.Today, when the Criminal Original Petitions are taken up for hearing, Mr.S.Chandrasekar, learned Additional Public Prosecutor appearing for the respondents 1 and 2, on instructions, would submit that, earlier for the very same relief, the petitioner



herein approached the second respondent Police and lodged complaints, for which, enquiry has been initiated in C.S.R.No.77 of 2020, dated 19.02.2020 and in C.S.R.No.290 of 2020, dated 12.07.2020, as against one Rajangam and others. In the said enquiry, the petitioner herein voluntarily made a statement before the second respondent as, she is willing to settle the dispute through the competent Court of Law and therefore, the second respondent closed both the enquiry and thereafter, now, the petitioner has presented one another representation dated 13.08.2020. He would further submit that upon receipt of the representation given by the petitioner, the second respondent initiated an enquiry in G2/33/E34/2020 and the same is still pending on the file of the second respondent Police. Further, the learned Additional Public Prosecutor would submit that during the time of enquiry, if it is found necessary, sufficient protection will be given to the petitioner.

3.Recording the above said submissions made by the learned Additional Public Prosecutor appearing for the respondents 1 and 2, these Criminal Original Petitions are disposed of.

Sd/-

Assistant Registrar(CRL SIDE)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

smn2

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,
Theni District,
Theni.
- 2.The Inspector of Police,
Rajathani Police Station,
Aundipatty Taluk,
Theni District.



3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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KG(CO)
TR(16.09.2020) 4P 4C