



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **08.09.2020**

CORAM:

THE HONOURABLE MR.JUSTICE **R.PONGIAPPAN**

Crl.O.P.(MD)No.9479 of 2020

Kannadasan

... Petitioner

Vs.

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

2.The Inspector of Police,
Vaadathikottai Police,
Thanjavur District.

3.Rajamohan

4.Vinoth

5.Veeramani

6.Palanivel

7.Sasikumar

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the second respondent to give appropriate protection to the petitioner and his family on the basis of the complaint dated 27.08.2020 sent by the petitioner through registered post to the respondents 1 and 2 and investigate the same in accordance with law.

For Petitioner : Mr.Jeyaram Sidharth

For R-1 & R-2 : Mr.S.Chandra Sekar

Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking a direction to direct the second respondent to give appropriate protection to the petitioner and his family on the basis of the complaint dated 27.08.2020, given by the petitioner.

2. Today, when the petition is came up for hearing, the learned counsel appearing for the petitioner would submit that in the property owned by the petitioner, the respondents 3 to 7 are attempting to use the same as a pathway, for which, a Kangaroo Court was conducted, in which, the respondents 3 to 7 are attempting to excommunicate the petitioner from the Village.

3. Per contra, the learned Additional Public Prosecutor appearing for the respondents 1 and 2, on instructions, would submit that upon the complaint dated 27.08.2020 given by the petitioner,



the second respondent had conducted an enquiry in C.S.R.No.39 of 2020 and thereafter, he came to the conclusion that in respect of the dispute regarding the pathway, he had forwarded the complaint to the Revenue Divisional Officer, Thanjavur, for initiating an enquiry under Section 107 Cr.P.C., by his proceedings in C.No.14/G7/TS/2020, dated 20.08.2020 and thereafter, a proceeding has been initiated under Section 107 Cr.P.C., by the Revenue Divisional Officer, Thanjavur and the same is pending on his file, for disposal.

4. The above said submission made by the learned Additional Public Prosecutor is recorded.

5. Upon considering the submissions made by the learned counsel on either side, since the petitioner claimed right and title over the property, in which, the respondents 3 to 7 are attempting to create a pathway, it is necessary to give police protection to the petitioner, till the completion of 107 Cr.P.C. proceedings. Therefore, the second respondent is directed to give necessary police protection to the petitioner till the completion of enquiry initiated by the Revenue Divisional Officer under Section 107 Cr.P.C., after collecting the necessary fee from the petitioner.

6. With the above direction, the Criminal Original Petition stands disposed of.

Sd/-

Assistant Registrar (CSII)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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,
Thanjavur District,
Thanjavur.
- 2.The Inspector of Police,
Vaadathikottai Police,
Thanjavur District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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