



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.10.2020

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

CrI.O.P (MD)No.11060 of 2020

Petchiammal

... Petitioner

Vs.

1.The Superintendent of Police,
Tuticorin.

2.The Inspector of Police,
Kayathar Police Station,
Tuticorin District.

3.Ayyadurai

4.Murugaiah

5.Karuppasamy

... Respondents

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to direct the respondents police to provide adequate police protection to the petitioner and her family members to fence her land situated in Survey Nos. 129/1, 129/2, 129/3, 129/4, 129/5 and 129/7, Kayatharu Village Kovilpatti Taluk, Tuticorin District.

For Petitioner : Mr.R.Rajamohan

For R1 and R2 : Mr.V.Neelakandan
Additional Public Prosecutor

For R3 to R5 : Mr.Sorimuthu

ORDER

Heard the learned counsel on either side.

2.The petitioner wants this Court to give police protection for fencing the petition mentioned properties.

3.At this stage, the learned counsel for the intervenor points out that a civil suit has already been filed in O.S.No.146 of 2020 before the District Munsif Court, Kovilpatti and that the next hearing date is 09.11.2020. Since the civil Court is already seized of the matter and there is no enforceable decree in favour of the



petitioner herein, the question of granting relief under Section 482 of Cr.P.C, does not arise. Leaving open the rights of the parties, this Criminal Original Petition is dismissed.

Sd/-

Assistant Registrar ()

// 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,
Tuticorin.

2.The Inspector of Police,
Kayathar Police Station,
Tuticorin District.

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

+2 CC to M/s.V. SORIMUTHU, Advocate (SR-19690[F] dated 12/10/2020)

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SDS (22.10.2020) 2P-6C