



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 02.12.2020**

**CORAM :**

**THE HONOURABLE MRS.JUSTICE J.NISHA BANU**

**Crl.O.P. (MD)No.13820 of 2020**

WEB COPY

Kannan

... Petitioner

vs.

- 1.State represented by  
The Superintendent of Police,  
Trichy District, Trichy.
- 2.The Deputy Superintendent of Police,  
Manapparai, Trichy District.
- 3.State represented by  
The Inspector of Police,  
Manapparai Police Station,  
Trichy District.
- 4.Latha
- 5.Karthi
- 6.Savarimuthu

... Respondents

**PRAYER** : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the respondents 1 to 3 to give necessary police protection to the life and limb of the petitioner and his property comprised in Survey No.597/2020, extent 792 square feet and 74 square feet house situated at Sevalur Village, Manapparai Taluk, Trichy District on the basis of the petitioner representation dated 21.11.2020.

For Petitioner : Mr.A.Joel Paul Antony

For R1 & R2 : Mr.V.Neelakandan,  
Additional Public Prosecutor.

**O R D E R**

This Criminal Original Petition has been filed to direct the respondents 1 to 3 to give necessary police protection for the life and limb of the petitioner and his property comprised in Survey No.597/2020, extent 792 square feet and 74 square feet house situated at Sevalur Village, Manapparai Taluk, Trichy District on the basis of the petitioner's representation dated 21.11.2020.



2.The learned counsel appearing for the petitioner would submit that the petitioner purchased the petition mentioned property from one Vairaperumal, through registered sale deed vide Document No.1366/2018, dated 22.03.2018. Thereafter, the petitioner is in possession and enjoyment of the property. Subsequently, on 17.11.2020 the respondents 4 to 6 trespassed in the petitioner's house and also abused him with filthy language with intention to grab the petitioner's house. Therefore, on the same day (i.e,17.11.2020), the petitioner had lodged a complaint before the third respondent. No action has been taken on that complaint. Hence, the petitioner made a representation, dated 21.11.2020, to the respondents 1 to 3, through courier post and the same also has not been considered. Hence, the petitioner filed this present petition.

3.The learned Additional Public Prosecutor appearing for the official respondents, on instructions, would submit that based on the complaint given by the petitioner, CSR has been issued and enquiry is still pending.

4.Heard the learned counsel for the petitioner as well as the learned Additional Public Prosecutor. In view of the order going to be passed, notice to respondents 4 to 6 is not necessary.

5.Recording the above submission made by the learned Additional Public Prosecutor, without going into the merits of the case, the respondents 1 to 2 are directed to consider and pass orders on the petitioner's representation dated 21.10.2020 after giving opportunity to the respondents 4 to 6 by following the principles laid down by the Hon'ble Apex Court in ***D.K.Basu Vs. State of West Bengal reported in AIR (1997) SC 610*** and if it is found that police protection is necessary, the same may be given to the petitioner. The said exercise shall be completed within a period of four weeks from the date of receipt of a copy of this order

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

Sd/-

Assistant Registrar (CS-II)

// 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,  
Trichy District, Trichy.
- 2.The Deputy Superintendent of Police,  
Manapparai, Trichy District.
- 3.The Inspector of Police,  
Manapparai Police Station,  
Trichy District.
- 4.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

ORDER MADE IN  
Crl.O.P.(MD)No.13820 of 2020  
DATED : 02.12.2020

ARK(CO)  
KM (15.12.2020) 3P 5C