



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.12.2020

CORAM

WEB COPY

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

CrI.O.P. (MD)No.14957 of 2020

S.Palaniyammal

... Petitioner

Vs.

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

2.The Inspector of Police,
Thuvarankurichi,
Trichy District.

3.The Sub Inspector of Police,
Valanadu Police Station,
Trichy District.

4.Sangupillai

... Respondents

Prayer : Criminal Original Petition filed under Section 482 Cr.P.C., to direct the first respondent to direct the third respondent not to harass the petitioner and her family members consequently give adequate protection to them based on the petitioner's complaint dated 06.11.2020.

For Petitioner : Mr.S.Muthalraj

For R1 to R3 : Mr.V.Neelakandan,
Additional Public Prosecutor.

ORDER

This criminal original petition has been filed to direct the first respondent to direct the third respondent not to harass the petitioner and her family members consequently give adequate protection to them based on the petitioner's complaint dated 06.11.2020.

2.The learned counsel appearing for the petitioner would submit that the petitioner is the owner of the land in survey Nos.586/6 and 587/10 situated at Marudhupatty Hamlet, Vembanur Village, Marudhupatty, Trichy District. The third respondent herein



threatened the petitioner and abused her in filthy language and interfered in the peaceful possession of the above said land. He would further submit that the fourth respondent preferred a false complaint as against the petitioner and based on the same, the official respondents are harassing the petitioner in the name of enquiry. The petitioner also preferred a complaint as against the fourth respondent.

3.The learned Additional Public Prosecutor appearing for the respondents 1 to 3, on instructions, would submit that there is a property dispute between the parties. Due to which, the fourth respondent filed a complaint and based on the same, the third respondent initiated an enquiry in C.S.R.No.379 of 2020, dated 06.11.2020. He would further submit that the petitioner herein filed a complaint against the fourth respondent and based on the the same, the third respondent initiated an enquiry in C.S.R.No.378 of 2020, dated 06.11.2020. In both complaints, enquiry is pending.

4.It is seen that there is property dispute between the parties and enquiry was also pending. Therefore, the respondents police is directed to enquire both the complaints together and if necessary, give police protection to the parties, in the manner known to law. The respondent police is directed to follow 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** while enquiring the petitioner.

5.With the above directions, this criminal original petition is disposed of.

Sd/-

Assistant Registrar(AS)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

gns

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,
Trichy District.



2.The Inspector of Police,
Thuvarankurichi,
Trichy District.

3.The Sub Inspector of Police,
Valanadu Police Station,
Trichy District.

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

+1 CC to Mr.NA.PALANI RAJ, Advocate SR.No. 25984

Crl.O.P. (MD) No.14957 of 2020
17.12.2020

MJ(CO)
TR(11.01.2021) 3P 6C