

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.01.2021

CORAM

THE HONOURABLE MR.JUSTICE N. ANAND VENKATESH

Crl.O.P.No.3334 of 2018

H.A.Gangaram

...Petitioner

Vs

1. The Superintendent of Police,
Office of the Superintendent of Police,
Salem, Salem District.

2. State Rep. By
The Inspector of Police,
Senthamangalam Police Station,
Salem District.

3. Prabakaran

4. Jayapratha

5. Radha

[R3 to R5 impleaded vide order
dated 16.02.2018 in Crl MP No.2231 of 2018
in Crl OP No.3334 of 2018]

...Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of
the Code of Criminal Procedure, to direct the 2nd respondent

police to give police protection to the petitioner for fencing his property in Survey No.4/1B to an extent of 3.16 situated at Pachudyanpatti Vilalge, Namakkal District on the basis of petitioner's complaint dated 24.01.2018.

For Petitioner : M/s.R.Marudhachalamurthy

For Respondent : Mr.C.Raghavan
Government Advocate
for R1 and R2
Mr.K.A.Mariappan
for R3 to R5

ORDER

This Criminal Original Petition has been filed seeking for police protection in order to enable the petitioner to fence his property.

2. The case of the petitioner is that the private respondents are attempting to interfere with the possession and enjoyment in the subject property and also filed a suit in O.S.No.232 of 2013 before the Sub Court, Namakkal, for partition. The further case of the petitioner is that the suit came to be dismissed on 23.02.2016 and the same has also become

final. In spite of the same, the private respondents are preventing the petitioner from putting up fence in his property. Therefore, the complaint was given before the respondent police to give protection to enable the petitioner to fence the property. Since the same was not acted upon, the present Criminal Original petition has been filed before this Court.

2. Heard the learned counsel for the petitioner and Mr.C.Raghavan, learned Government Advocate, appearing on behalf of respondents 1 and 2 and Mr.K.A.Mariappan, learned counsel for R3 to R5.

3. Taking into consideration the facts and circumstances of the case and the limited relief sought for in this Criminal original petition, there shall be a direction to the 2nd respondent to call the parties for an enquiry and instruct respondents 3 to 5 not to indulge in any law and order problem and if at all, they have any right, to work out the same in the manner known to

law. They shall be instructed not to interfere with the petitioner fencing his property. If any law and order problem is created, appropriate action shall be taken in accordance with law. If necessary police protection shall also be given to the petitioner to fence his property.

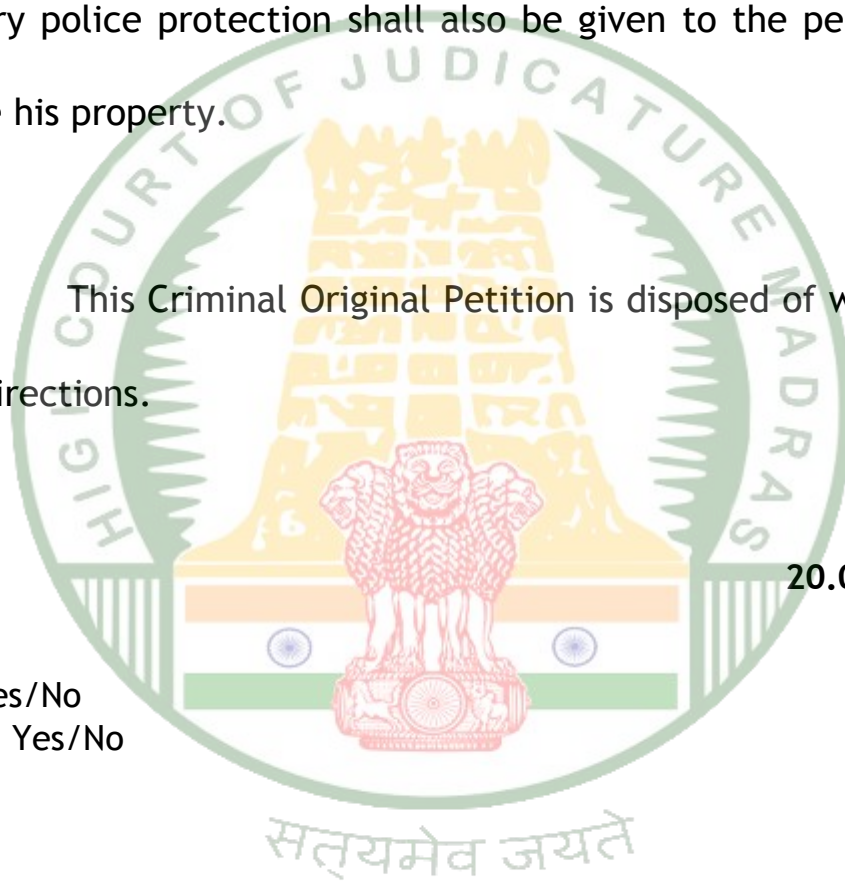
4. This Criminal Original Petition is disposed of with the above directions.

20.01.2021

rka

Index: Yes/No

Internet: Yes/No



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To

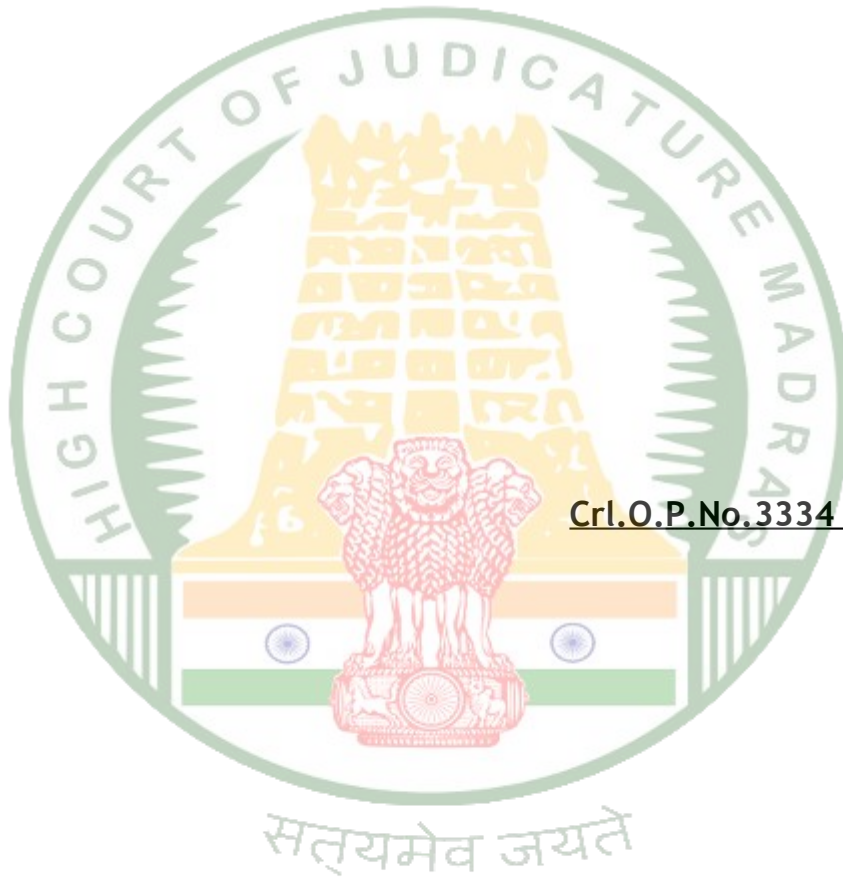
1. The Superintendent of Police,
Office of the Superintendent of Police,
Salem, Salem District.
2. State Rep. By
The Inspector of Police,
Senthamangalam Police Station,
Salem District.
3. The Public Prosecutor,
High Court, Madras.



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