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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.11.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.16129 of 2021

Dhara Begam

... Petitioner

Versus

- 1.The Superintendent of Police,
Kallakkurichi District,
Kallakkurichi.
- 2.The Deputy Superintendent of Police,
Thirukkivilur,
Kallakurichi District,
Kallakurichi.
- 3.The Inspector of Police,
Circle Police Station Sankarapuram,
Sankarapuram Taluk,
Kallakurichi District.
- 4.The Sub-Inspector of Police,
Vadaponparappi Police Station,
Sankarapuram Taluk,
Kallakurichi District.
- 5.Venkatesan @ Venkatachalam
- 6.Chandran
- 7.Muthusamy

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the 3rd respondent to provide adequate police protection for cultivating process between 10.09.2021 to 15.09.2021, consequently safe passage for men, crops in Survey No.108/7B1B of Melsiruvallur Village, Sankarapuram Taluk to an extent of 0.50, within the jurisdiction of the 3rd respondent police.

For Petitioner : Mr.Murugesan



For Respondents : Mr.E.Raj Thilak,
Addl. Public Prosecutor
For R1 to R4.

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ORDER

This Criminal Original Petition has been filed to direct the 3rd respondent to provide adequate police protection for cultivating process to an extent of 0.50 in Survey No.108/7B1B of Melsiruvallur Village, Sankarapuram Taluk from 10.09.2021 to 15.09.2021.

2. On, 25.08.2021, the petitioner had lodged a complaint to the 4th respondent stating that the respondents 5 to 7 herein are restraining the petitioner to continue with the agriculture activities.

3.The counsel for the petitioner submitted that the petitioner's father-in-law had purchased the property from one Pitchen, who is the father of respondents 5 to 7. After the family partition, the petitioner's husband is in continuous possession and enjoyment of the said property from the year 2011. Now, the respondents 5 to 7 are raising objections and obstructing the petitioner from cutting sugarcane in the said property. Hence, on 25.08.2021, she sent a letter to the 4th respondent for providing police protection to cut the sugarcane and thereafter, they cut the sugarcane on 05.09.2021. Even thereafter, the respondents 5 to 7 are obstructing to do the cultivation work. Hence the present petition has been filed sought for the police protection. Further submitted that the respondents 5 to 7 had earlier filed a Suit in O.S.No.227 of 2013 before the Munsif Court, Sankarapuram, which was later with drawn.

4.The learned Additional Public Prosecutor submitted that on the complaint of the petitioner, both the petitioner and the respondents 5 to 7 were called for enquiry. On 25.08.2021, both the parties appeared and gave an undertaking that in future, any grievance would arise, the same would be resolved by approaching the Civil Court. He further submitted that at the time of lodging the complaint to the 4th respondent, a copy of the complaint has been sent to the respondents 1 to 3 and using the same,now the petitioner seeks for police protection without any cause.

5. At this stage, the learned counsel for the petitioner submitted that his complaint to be entertained and he may be provided with adequate police protection as lodged in the complaint.



6. For the same, the learned Additional Public Prosecutor submitted that if any such complaint is received, the same would be considered sympathetically.

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7. Recordings the submissions, this Criminal Original Petition is disposed of.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

vkr/mpl

To

1. The Superintendent of Police,
Kallakurichi District,
Kallakurichi.
2. The Deputy Superintendent of Police,
Thirukkivilur,
Kallakurichi District,
Kallakurichi.
3. The Inspector of Police,
Circle Police Station Sankarapuram,
Sankarapuram Taluk,
Kallakurichi District.
4. The Sub-Inspector of Police,
Vadaponparappi Police Station,
Sankarapuram Taluk,
Kallakurichi District.
5. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.M.Reefath, Advocate, S.R.No.62158

CRL.O.P.No.16129 of 2021

VG-II(CO)
CT/14/12/2021