



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.10.2021

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.NO.17973 OF 2021

Rajeshwari

...Petitioner

Versus

1. The Superintendent of Police,
Tiruppur,
Tiruppur District.
2. The Deputy Superintendent of Police,
Dharapuram,
Tiruppur District.
3. The Inspector of Police,
Alangiyam Police station,
Alangiyam,
Dharapuram Taluk,
Tiruppur District.
4. Selvaraj
5. Selvi
6. Velusamy

...Respondents

Prayer:

This Criminal Original Petition is filed under Section 482 of Criminal Procedure Code praying to direct the respondents 1 to 3 to provide police protection to the petitioner and her agricultural land situated in S.Nos. 270/1, 270/2, 271/1, 271/2, 272, 273, 290/1 totally to the extent of 11.44 1/2 acres situated at Thalavaipattinam Village and Sitharavuthan Palayam Village, Dharapuram Taluk, Tiruppur District for the operation of agricultural activities based on the complaint given by the petitioner dated 13.09.2021.

For Petitioner : Mr.S.Doraiswamy
For Respondent : Mr.R.Vinoth Raja
Government Advocate (Crl.Side)



O R D E R

This petition has been filed to direct the respondents 1 to 3 to provide police protection to the petitioner and her agricultural land situated in S.Nos. 270/1, 270/2, 271/1, 271/2, 272, 273, 290/1 totally to the extent of 11.44 1/2 acres situated at Thalavaipattinam Village and Sitharavuthan Palayam Village, Dharapuram Taluk, Tiruppur District and for the operation of agricultural activities based on the complaint given by the petitioner, dated 13.09.2021.

2. The petitioner, who is the daughter of one Nachimuthu, sent a representation to the respondent Police on 13.09.202 seeking protection for herself, her parents and their property, but no action has been taken by the respondent Police so far. Hence, the above petition.

3. The learned counsel for the petitioner has submitted that earlier her father had settled the property by way of settlement deed in D.Nos.5518 and 5523 of 2019 dated 12.07.2021. The petitioner's brother Selvaraj, sister-in-law Selvi and brother-in-law Velusamy aggrieved against the same, had threatened and assaulted the petitioner's father Nachimuthu, for which, the petitioner has filed Crl.O.P.No.10972 of 2021 seeking protection and this Court by the order dated 28.06.2021 directed the respondent Police to provide safety and protection to the said Nachimuthu. Since the said Nachimuthu being a senior citizen, he is given protection under Section 21 of the Tamil Nadu Senior Citizens Act. Thereafter, now, the petitioner is harassed and attempted to assault. He further submitted that there is a civil suit between the petitioner's father and brother Selvaraj and the Civil Court's ordered in favour of the petitioner's father. Despite the same, due to the in action of the Police, the respondents 4 to 6 are continuing their assault and threat.

4. The learned Government Advocate (Crl.Side) has submitted that earlier a case has been registered against the respondents 4 to 6 in Crime No.151 of 2021, for the offence under Sections 294(b), 323, 324 and 506(ii) IPC. Thereafter, they have moved this Court in Crl.O.P.No.10156 of 2021 seeking anticipatory bail and the same was granted on 10.06.2021 with the condition that they shall report before the respondent Police as when and required. Now, the respondent Police is ready to take immediate steps to summon the respondents 4 to 6 and warn and instruct them not to indulge in such activities, however, if they continue, coercive action will be taken against them.



5. Considering the above submissions, it is seen that this Court while granting anticipatory bail to the respondents 4 to 6 directed them to appear before the respondent Police as and when and required. The respondent police is directed to call the respondents 4 to 6 and warn them and instruct them not to indulge in such activities and not to disturb the peaceful possession and enjoyment of the property and also not to cause any threat and bodily injuries to the petitioner and her parents. It is also reminded that the petitioner's father was already given protection in Crl.O.P.No.10972 of 2021.

6. In view of the same, the respondent Police shall follow the orders of this Court in letter and spirit with regard to the said Nachimuthu and if they found any violation by the respondents 4 to 6, appropriate action should be taken. Further petitioner to be given necessary protection to life and property.

7. With the above directions, this Criminal Original Petition is disposed of.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

dna/drm

To

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

2.The Deputy Superintendent of Police,
Dharapuram, Tiruppur District.

3.The Inspector of Police,
Alangiyam Police station,
Alangiyam, Dharapuram Taluk,
Tiruppur District.

4.The Public Prosecutor, High Court, Madras.

+1cc to Mr.S.Doraiswamy, Advocate, S.R.No.52549

Crl.O.P.No.17973 of 2021

CP(CO)
PM/28/10/2021