



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.10.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.19928 of 2021

V.Sumathi

...Petitioner

Versus

- 1.State Rep. By
The Deputy Superintendent of Police,
Vazhapadi, Salem District.
- 2.The Inspector of Police,
Vazhapadi Police Station,
Salem District.
3. Palanisami.
4. Prakash.
5. Jaganathan.
6. Kannan.

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the 2nd respondent to give the police protection to the petitioner and her family along with cultivation land within a stipulated period fixed by this Hon'ble Court.

For Petitioners :Mr.C.Samivel

For Respondents :Mr.R.Vinothraja,
Government Advocate (crl.side)
for R1 and R2.

ORDER

This Criminal Original Petition has been filed to direct the 2nd respondent to give police protection to the petitioner and her family members.



2. The learned counsel for the petitioner submitted that the petitioner is having a own property and she belongs to a oppressed community. The upper class people Viz. R3 to R6 had purchased the property around the petitioner's property and they forcing the petitioner to sell her property. When the petitioner resisted the same, she was assaulted.

3. The learned Government Advocate (crl.side) submitted that on the complaint of the petitioner, Tahsildar conducted an enquiry through the Revenue Inspector. From the enquiry, it is seen that the respondents 3 to 6 have not encroached upon the petitioner's property. Further, as regard the dispute projected before the Revenue authorities, that there was a path way, which has been closed by the R3 to R6, is not correct. From the 'A' Register, there is no records with regard to the path way. He further submitted that on the complaint of the petitioner, the respondent police had already registered a case in Crime No.380 of 2021 for the offences under Sections 294(b), 506(ii) of IPC and Section 3(1)(r) and 3(1)(s) of the SC and ST (Prevention of Atrocities) Amendment Act 2015 and now, investigation is in progress.

4. Considering the fact that the issue is not with regard to the path way, it is for the respondent police to give protection for cultivation of the petitioner. In the event of any obstruction by the adjacent land owners, the respondent police is directed to take appropriate action and give protection to the petitioner for cultivation.

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

s/d-
Assistant Registrar

//True Copy//

Sub-Assistant Registrar

mrp/mdl



To

1. The Deputy Superintendent of Police,
Vazhapadi, Salem District.
 2. The Inspector of Police,
Vazhapadi Police Station,
Salem District.
 3. The Public Prosecutor,
High Court, Madras.
- +1 CC to Mr.C.Samivel, Advocate sr 55613.

CRL.O.P.No.19928 of 2021

PL(CO)
SP(01/12/2021)