



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.12.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.24770 of 2021

G. Thiruvenkadam

...Petitioner

Versus

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

2.The Inspector of Police,
Kullanchavadi Police Station,
Kurinjpadi Taluk,
Cuddalore District.

3.S.Dharmaraja
4.S.Raja
5.S.Subhashini
6.V.Mala
7.S.Indirani
8.D.Kalaiyarasi
9.K.Velu

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondents 1 & 2 to give police protection for fencing the petitioner property situated at Puliur Village, Kurinjpadi Taluk, Cuddalore District.

For Petitioner :Mr. I. Periaswamy

For Respondents :Mr. E. Raj Thilak, for R1 & R2
Additional Public Prosecutor

O R D E R

This Criminal Original Petition is filed to direct the respondents 1 & 2 to give police protection for fencing the petitioner property situated at Puliur Village, Kurinjpadi Taluk, Cuddalore District.



2. The learned counsel for the petitioner would submit that the petitioner had purchased the property from one Loganathan. The said Loganathan had earlier purchased the property through Court auction from the third respondent. The other respondents 4 to 9 are family members of the third respondent. Now the petitioner is not permitted to enjoy the property and he is being abused and assaulted by the respondents 3 to 9. Despite the complaint given to respondents 1 and 2, no action has been taken.

3. The learned Additional Public Prosecutor appearing for the respondents 1 and 2 would submit that in this case the FIR has been registered. Further states that the petitioner is in possession of the property. The petitioner's son Kanagasabai had lodged a complaint against the third respondent herein, a case in crime No.659/2021 for the offences under Section 147, 294(b), 323, 324, 354 and 506(ii) of IPC was registered. The seventh respondent herein had lodged a complaint against the son and wife of the petitioner and others, the case in crime No.660/2021 was registered for the offences under Section 147, 294(b), 323, 324 and 354 of IPC. Both the cases are pending investigation.

4. In view of the same, the second respondent is directed to call both the petitioner and respondents 3 to 9, warn them not to interfere into the peaceful possession and enjoyment of the property of the petitioner who had purchased the property from Loganathan and the said Loganathan had purchased the property through Court auction.

5. In view of the same, attempting to dispose of the petitioner or does anything proceeds further to disposes the petitioner would amounts to violating the Court order. If at all there is any grievance, the respondents 3 to 9 shall approach the civil Court and seek remedy.

6. With the above direction, this criminal original petition is disposed of.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar



To

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

2.The Inspector of Police,
Kullanchavadi Police Station,
Kurinjipadi Taluk,
Cuddalore District.

3.The Public Prosecutor,
High Court, Madras.

CRL.O.P.No.24770 of 2021

CA(CO)
SP(20/01/2022)