



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.02.2021

CORAM :

THE HONOURABLE Mrs. JUSTICE **R.THARANI**

Crl.O.P.(MD)No.2844 of 2021

P.Durairaj

... Petitioner

Vs.

1.The Inspector of Police,
Thuvarankuruchi Police Station,
Trichy District.

2.Chinnammal

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of Cr.P.C to direct the first respondent to provide police protection on the day fixed for measuring the petitioner's land by land surveyor in respect of property comprised in Survey No.174/2A2 and also to the life of the petitioner on the basis of the complaint dated 25.12.2020.

For Petitioner : Mr.S.Mohanraj

For Respondent No.1 : Mr.A.Robinson

Government Advocate (Criminal side)

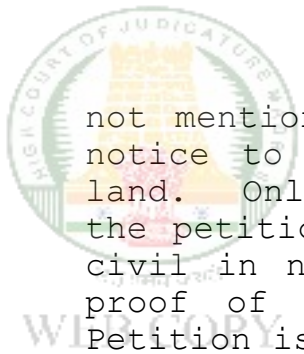
ORDER

This petition is filed seeking to provide police protection on the date to be fixed for measuring the land comprised in Survey No.174/2A2 by the land Surveyor.

2.On the side of the petitioner it is stated that R2 is the adjacent land owner of the petitioner. When the second respondent disturbed the petitioner's right over the property and threatened him, the petitioner on 27.12.2020 lodged a complaint and the same was registered as CSR.No.610 of 2020. Again, on 10.02.2021, the second respondent tried to trespass into the petitioner's property. In order to avoid confusion regarding the boundaries, the petitioner decided to fence his property, for which, on 11.02.2021, the petitioner paid the requisite fees for measuring his land. At the time of measurement of his property, there may be a chance of endangering the life and limb of the petitioner, hence, prayed for police protection.

3.On the side of the respondent it is stated that already a compliant against the second respondent was filed by the petitioner and the same was registered as CSR.No.610 of 2020 and further stated that the remedy available to the petitioner is to approach the civil Court and prayed the petition to be dismissed.

4.It is seen that there is a property dispute between the petitioner and the second respondent and the date of measurement was



not mentioned in the petition. The revenue department will issue notice to the adjoining land owners and then, they measure the land. Only an apprehension that there may be a chance of danger, the petitioner has approached this Court. The matter involved is civil in nature. No date is fixed for measurement. There is no proof of immediate danger. Accordingly, the Criminal Original Petition is dismissed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Note In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

- 1.The Inspector of Police,
Thuvarankuruchi Police Station,
Trichy District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.S.MOHANRAJ, Advocate (SR-7025[F] dated 24/02/2021)

Crl.O.P. (MD)No.2844 of 2021
24.02.2021

KUN(CO)
KB(12.03.2021) 2P 4C